

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p style="text-align: center;">O.A.No.89 of 2019</p> <p>S. B. MoryeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 26.02.2019. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 26.02.2019. 9. Learned P.O. is further directed to take instructions from the Respondent No.1 about further action taken by it in pursuance of its letter dated 16.07.2016 (Page No.75 of the Paper-Book) and inform the Tribunal about the said pending issue with the Government relating to regularization on suspension period. 10. Hamdast and steno copy is granted. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 29.01.2019.

O. A. No.862 of 2018

J. Y. Bandgar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri K. Y. Mali, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.
2. In the present O.A., the directions are sought to release the retiral benefits to the Applicant with interest. The Applicant stands retired on 31.01.2014 on attaining the age of superannuation. However, the retiral benefits were not released because of pendency of Criminal Case i.e. Special Case No.10/2005. The Applicant has been acquitted from the Criminal Case from 30.04.2016. Despite this position, the retiral benefits are not paid and, therefore, the Applicant has approached this Tribunal.
3. Today, the learned P.O. has tendered the letter dated 25.10.2018 issued by the Government which shows that suspension period has been also treated as duty period. Admittedly, no appeal has been filed against the judgment of the appeal besides no D.E. was contemplated or pending as stated by Shri S. G. Gangarkar, Under Secretary, Water Resources Dept.
4. In view of above, there is absolutely no hurdle to release retiral benefits to the Applicant.
5. Learned P.O. at this stage has produced a letter dated 28.01.2019 issued by the Government where it is stated that retiral benefits will be released within two months on verification of service book and other compliances.
6. As the Applicant stands retired in 2014 and also acquitted from the Criminal Case, there was no hurdle in processing the entitlement of pensioary benefits of the Applicant. However, lethargic and inaction on part of the Respondent is obvious.
7. Any way as now the department is taking necessary steps, this O.A. can be disposed of with suitable directions.
8. Original Application is disposed of with directions to the Respondents to release retiral benefits of the Applicant within six weeks from today. If the Applicant is entitled to the interest on the delayed payment, be considered in accordance to rules.
9. With these directions, Original Application is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Date : 29.01.2019. Tribunal's orders**O. A. No.1011 of 2018****K. R. Tawarej****...Applicant****Versus****The State of Maharashtra & Ors.****...Respondents.**

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. In the present O.A., the challenge is to the transfer order dated 03.11.2018. The subsequent developments which have taken during the pendency of this application is that the Applicant has been given additional charge of the post from which he was transferred.

3. Learned Advocate for the Applicant submitted that if the Government is pleased to give regular charge for which additional charge has been given to her client then the cause of action to challenge the transfer order may not survive. So far as this aspect is concerned, it is upto the Government to take a call.

4. The Applicant is at liberty to make any such representation which can be dealt with by the Government in accordance to rules.

5. In view of above, the matter is adjourned for three weeks for hearing.

6. S.O. to 18.02.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

[PTO]

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 29.01.2019.

O. A. No.745 of 2017

U. T. Sarode

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri V. P. Potbhare, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. In terms of the order passed by this Tribunal on 22.01.2019, learned P.O. for the Respondents was directed to file Affidavit explaining the steps taken by the department and also apologies for the delay.

3. Affidavit-in-Reply is taken on record.

4. Whether the Affidavit filed today, is fulfilling the compliance of the order passed by this Tribunal on 22.01.2019 or not, needs to be examined.

4. In Affidavit filed by the Respondent, one month's time is sought for passing final order in D.E. on the ground that matter is pending for the approval of the M.P.S.C.. It seems that additional information was sought by the M.P.S.C., which was sent on 09.10.2018. However, there after no further steps seems to have been taken to peruse the matter with M.P.S.C. The perusal of the chart at page no.226 reveals that there is a delay at every stage for which no explanation is forthcoming.

5. At this stage, learned P.O. seeks two weeks time to file additional Affidavit to explain the delay.

6. In view of above, the matter is adjourned for two weeks with directions to take follow up from the M.P.S.C. and to pass appropriate order within two weeks and also to file additional Affidavit.

7. Hamdast and steno copy is granted.

8. S.O. to 11.02.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p align="center">O. A. No.96 of 2019</p> <p>S. P. PathadeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In the present Original Application, the challenge is to the transfer order dated 24.01.2019, whereby the applicant has been transferred on promotion as Naib Tahsildar, Collector office, Satara. The Applicant is suffering from 40% hearing impairment. By order dated 28.11.2018, he was promoted from the post of Senior Clerk, Collector office, Pune at Resident Naib Tahsildar, Atapadi, District Sangali. However, he made representation on the ground of disability and requested for convenient posting. Consequently, the order dated 28.11.2018 has been modified and in place of Atapadi, he has been posted at Satara.</p> <p>3. The Applicant contends that in view of the Government Policy reflected in various circulars i.e. dated 15.04.2004, he needs to be considered at the place which is convenient to his residential place. Even there is a recommendation from the Deputy Commissioner by letter dated 30.11.2018 for his posting at Bhore or Purandhar, Dist. Pune. However, he has been posted at Satara. He has also produced disability certificate.</p> <p>4. Thus, having regard to hearing impairment of the Applicant in view of the Government Circular, he needs to be considered for convenient posting which is not done. Therefore, I am inclined to grant interim relief.</p> <p>5. For the above discussion, interim relief is granted as prayed in Clause 10(a) in the Original Application till filing of the reply.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="1052 349 1084 378" style="text-align: center;">-2-</p> <p data-bbox="737 415 1398 482">6. Issue notice before admission returnable on 26.02.2019.</p> <p data-bbox="737 533 1398 637">7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p data-bbox="737 670 1398 858">8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p data-bbox="737 887 1398 1035">9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p data-bbox="737 1063 1398 1251">10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p data-bbox="737 1280 1398 1468">11. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p data-bbox="737 1497 1203 1526">12. Hamdast and steno copy is granted.</p> <p data-bbox="737 1590 1024 1619">13. S.O. to 26.02.2019.</p> <p data-bbox="1149 1756 1203 1785" style="text-align: right;">Sd/-</p> <p data-bbox="1089 1831 1252 1889" style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p data-bbox="753 1900 786 1928">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">O. A. No. 748 of 2018 O. A. No.749 of 2018</p> <p>V. A. Londhe H. D. DongreApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In both the Original Applications, the challenge is to transfer order dated 06.08.2018 and interim relief is granted to the applicants.</p> <p>3. However, today, the learned C.P.O. has tendered the letter dated 28.01.2019 as well as the order dated 28.01.2019, which discloses that the Government has withdrawn and cancelled the Impugned transfer orders dated 06.08.2018. The same are taken on record.</p> <p>4. As the impugned transfer orders are cancelled by the Government, no cause of action survives in these Original Applications.</p> <p>5. In view of above, Original Applications are stands disposed of. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p align="right">(P.T.O.)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p align="center">O.A.No.949 of 2018</p> <p>S. K. SonawandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondents 1 and 3 and Shri A. G. Gavle holding for Shri Dr. G. Sadavarte, learned Advocate for the Respondent No.2.</p> <p>2. Learned Advocate for the Respondent No.2 has filed Affidavit-in-Reply. It is taken on record.</p> <p>3. On the request of the learned P.O., matter is adjourned for hearing.</p> <p>4. S.O. to 01.02.2019.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p>O.A.No.1010 of 2018</p> <p>V. Y. MokashiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri V. V. Joshi, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submitted that Affidavit-in-Reply will be filed during the course of the day. Statement is accepted. Reply be taken on record.</p> <p>3. Matter is adjourned for hearing.</p> <p>4. S.O. to 26.02.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____ Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p>O. A. No.1010 of 2017</p> <p>D. N. SalunkheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. As the pleadings are complete, the Original Application is admitted. 3. Matter is adjourned for final hearing. 4. Liberty is granted to the learned Advocate for the Applicant to file Rejoinder by next date, if any. 5. S.O. to 12.02.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p>O. A. No. 984 of 2018</p> <p>B. B. BodakeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. On the request of the learned P.O., matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 12.02.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus


The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p>M. A. No.654 of 2018 in O.A.No.96 of 2018</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>M. B. Kale ...Respondent (Ori. Applicant)</p> <p>1. Heard Shri S.D. Dole, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri V. V. Joshi, learned Advocate for the Respondent (Ori. Applicant).</p> <p>2. This M.A.No.654/2018 has been filed to withdraw the statement made by the Desk Officer in O.A. No.96/2018 on the basis of which the Tribunal has disposed of the matter. Secondly, the relief was also claimed to modify the order dated 05.09.2018.</p> <p>3. However, today, the learned P.O. for the Respondents submitted that he wants to withdraw the M.A. No.654/2018.</p> <p>4. Allowed to withdraw the M.A. 654/2018</p> <p>5. In view of above, M.A.No.654/2018 is disposed of as withdrawn with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p style="text-align: center;">O. A. No.95 of 2019</p> <p>N. C. DhageApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This matter was called out in the morning session but on the request of learned C.P.O. it was kept in the second session, so as to take instructions from the respondents.</p> <p>3. In the afternoon session, Shri A.J. Chougule, learned P.O. appears and submitted that the Tribunal may pass the necessary orders.</p> <p>4. In the present Original Application, the Applicant is seeking relief of direction to Respondent No.2 to allow him to join in pursuance of the order passed by the Government on 08.01.2019, whereby the earlier order dated 03.01.2019 has been cancelled.</p> <p>5. The grievance of the Applicant seems to be that the Respondent No.2 is not allowing the Applicant to join despite the cancellation of the order dated 03.01.2019 by the Government on 08.01.2019.</p> <p>6. The facts appear quite unusual and peculiar for which there is no explanation from the Respondent No.1. It seems that the Respondent No.2 is not obeying the order passed by the Government and, if it is so, it definitely enquires serious consideration. The Respondent No.1 is expected to take necessary steps immediately about defiance of its own order.</p> <p>7. In view of above, the matter be kept on 31.01.2019 with direction to learned P.O. to take instructions from the Respondent No.1 and to inform the Tribunal about the same for the implementation of order dated 08.01.2019.</p> <p>8. Hamdast and steno copy is allowed.</p> <p>9. S.O. to 31.01.2019.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p>O. A. No.843 of 2018</p> <p>A. R. BhapkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Drs. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is taken on board for Speaking to the Minutes in reference to Clause (C) of operative order of the judgment dated 01.01.2019.</p> <p>3. The Applicant was initially working at Chakan Police Station, Pimpri – Chinchwad Police Commissionerate but was transferred to Pune (Rural) by order dated 10.09.2018. The said order is challenged by filing O.A.No.843/2018, which came to be allowed by this Tribunal by order dated 01.01.2019. in operative order, Clause 'C' It is ordered as follows:- “(C): The Applicant be reposted In the office of Police Commissionerate, Pimpri-Chinchwad within one month from today.”</p> <p>4. Learned Advocate for the Applicant has pointed out that the aforesaid Clause (C) needs some modification as the Applicant needs to be reposted at Chakan Police station in view of the order passed by this Tribunal but inadvertently he ordered to be reposted in the office of Police Commissionerate, Pimpri-Chinchwad.</p> <p>5. Having gone through the order passed by this Tribunal on 01.01.2019, Clause (C) needs to be corrected. Hence, clause (C) be substituted with the following:- “(C) : The Applicant be reposted In Chkan Police Station, Pimpri-Chinchwad Commissionerate within one month from today.</p> <p>6. In view of above, the applicant be reposted in Chakan Police Station, Pimpri-Chinchwad Police Commissionerate within a week.</p> <p>7. Hamdast and steno copy is allowed.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p style="text-align: center;">O. A. No.1139 of 2018</p> <p>S.B. KuikarniApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Akhil Kupade holding for Shri Manoj Harit & Co., learned Advocate for the Applicants and Shri S. D. Dole, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 21.02.2019. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 21.02.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date : 29.01.2019.

O. A. No.70 of 2019

D. B. Katkar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 18.02.2019.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 18.02.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders, or directions and Registrar's orders	Tribunal's orders
	<p>Date : 29.01.2019.</p> <p>O. A. No.02 of 2019 with M. A. No.01 of 2019</p> <p>R. S. BhagwatApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V. V. Joshi, learned Advocate for the Applicants and Shri S. D. Dole, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 26.02.2019. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date; Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 26.02.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 29.01.2019.

O. A. No.1071 of 2018

S. R. AllibhalApplicant

Versus

The State of Maharashtra & Ors. ...Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant has submitted that the Applicant does not want to prosecute this matter and tendered the letter written by her client to that effect. Letter is taken on record.

3. Allowed to withdraw the Original Application.

4. In view of above, the Original Application is disposed of as withdrawn. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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DATE: 29/1/19

CORAM:

Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri P. N. Dixit Member (A)

APPEARANCE:

Shri/Smt. B.R. Deshmukh

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

C.P. P.O. for the Respondent/s

Adj/S.O. to 213719

Head
order passed in Tribunal
column

O.A. No.438 of 2018

D.B. Bamane ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri B.R. Deshmukh, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant seeks leave to amend the OA for making certain corrections. Leave granted.

3. Ld. Advocate for the applicant mentions that for the period from 5.8.2011 to 12.12.2014 the applicant was kept on compulsory waiting. On the other hand respondent no.1 has mentioned in para 19 of his affidavit that the period of absence from 6.8.2011 to 12.12.2014 as of duty is devoid of merit as he was not in service duty. The respondent no.1 is directed to take a decision regarding the same on merits within a period of four weeks.

4. As far as prayer of the applicant to consider his case for promotion is concerned, the respondents in para 4 of their affidavit have stated that GAD has asked the respondents to consider name of the applicant for the selection list of 2018-19. In view of the above, the respondent no.1 is directed to take suitable decision within a period of four weeks.

5. S.O. to 8.3.2019. If the decision is reached early the same may be communicated to the applicant and his advocate promptly.

Sd/-

(P.N. Dixit)
Member (A)
29.1.2019

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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DATE: 29/1/19

CORAM:
Hon'ble Justice Shri A. H. Joahi (Chairman)
Hon'ble Shri P. N. Dixit Member (A)

APPEARANCE:
Shri/Smt. U.V. Bhosale

Advocate:

Shri/Smt. S. P. Mandale
C. P.O. for the Respondent/s

Adj./S.O. to: 5/2/19

20

O.A. No.82 of 2019

T.V. Pawar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri U.V. Bhosale, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Respondents No.1 & 2 have filed reply and the same are taken on record.
3. Ld. Advocate for the applicant mentions that he is not prepared. He further mentions that Shri M.D. Lonkar, Ld. Advocate will appear in the matter and seeks time.
4. S.O. to 5.2.2019.

Sd/-

(P.N. Dixit)
Member (A)
29.1.2019

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>29/1/19</u></p> <p>CORAM: Honble Justice Shri A. H. Desai (Chairman) Honble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri/Smt. <u>Advocate and advocate are absent.</u></p> <p>Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.P./P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>Admit</u> <u>to come up for final hearing in due course.</u></p>	<p style="text-align: center;"><u>O.A. No.731 of 2018</u></p> <p>K.S. Aware ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply on behalf of respondent no.2 by Principal Secretary, who is incharge of the Home Department (Transport). The same is taken on record.</p> <p>3. Admit. To come up for final hearing in due course with liberty to file rejoinder, if any.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 29.1.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Caram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: 29.1.19</p> <p>CORAM: Hon'ble Justice S.H.A. H. Jadhav (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE Shri/Smt. B. P. Bandiwadkar Advocate for the Applicant</p> <p>Shri/Smt. S. B. Manchekar C.P.O. for the Respondent/s</p> <p>Ad/S.O. to 13/19.</p>	<p>O.A. No.764 of 2018</p> <p>N.S. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO states that Internal Committee has completed the enquiry and is about to submit the report. She seeks four weeks time for processing the same.</p> <p>3. S.O. to 1.3.2019.</p> <p style="text-align: right;">Sd/- (P.N!Dixit) Member (A) 29.1.2019</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20

IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>29.1.19</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCES: Shri/Smt. <u>M. M. Choudhari</u> Advocate for Applicant</p> <p>Shri/Smt. <u>P. J. Chougule</u> C. PO for the Respondent/s</p> <p><u>Adj. S.O. on 7.2.19 at the request of Ld. Advocate for the applicant in final hearing.</u></p> <p style="text-align: right;"><u>l</u></p>	<p style="text-align: center;"><u>O.A. No.883 of 2018</u></p> <p>M.N. Patel ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.M. Choudhari, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO proposes to file reply within a week.</p> <p>3. At the request of Ld. Advocate for the applicant, to be kept for final hearing on 7.2.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 29.1.2019</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: 29/1/19</p> <p>CORAM: S.P. Manjekar Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri Smt. Punam Mahajan Advocate Applicant</p> <p>Shri Smt. S.P. Manjekar C.P.O. for the Respondent/s</p> <p>Aq/S.O. to 26/2/19</p> <p style="text-align: right;"><u>2</u></p>	<p>O.A. No.407 of 2018 with M.A. No.725 of 2018</p> <p>Dr. B.B. Birajdar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Miss S.P. Manjekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks three weeks time to file reply in MA.</p> <p>3. S.O. to 26.2.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 29.1.2019</p> <p>(sgl)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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29.01.2019

M.A 485/2018 in O.A 984/23017 with M.A 486/2018 in O.A 132/2018

Shri R.N Fulzele & Others ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.N Naikwadi, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O on instructions from Shri B.G. Jadhav, Assistant Controller of Legal Metrology states that the proposal is being examined in consultation with MPSC.

3. Learned P.O seeks two weeks' time for making submission regarding progress of the same.

4. S.O to 20.2.2019.

Sd/-

(P.N Dixit)
Member (A)

Sd/-

(B.P. Patil)
Member (J)

Akn

DATE: 29/1/19
CORAM: B.P. Patil (m.J)
Hon'ble Justice Shri A.H. Jeehi (Chairman)
Hon'ble Shri P.N. Dixit Member (A)
APPEARANCE:
Shri A.N. Naikwadi

Advocate for Applicant

Shri A.J. Chougule
C. P.O for the Respondent's

Adj. S.O. to 20/2/19

Rejoinder filed by
Applicant in (O.A 984/17)

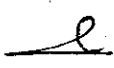
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20 _____

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: 29/1/19.</p> <p>CORAM: B.P. Patil (cmj) Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri/Smt. U. V. Bhosle / Shri M. D. Lonkar</p> <p>Advocate for the Applicant</p> <p>Shri/Smt. P. J. Chavale C.F. J.P.O. for the Respondent/s</p> <p>Adj./S.O. to Head</p> <p>order passed in Tribunal column S.O to 12/2/19.</p> 	<p><u>29.01.2019</u></p> <p><u>O.A 136/2012</u></p> <p>Shri P.D Dorkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri U.V Bhosle, holding for Shri M.D Lonkar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned P.O has produced communication dated 28.1.2019 along with list of selected candidates possessing Degree of Engineering along with their addresses, as per directions dated 4.12.2018, given in Para 12(III) by Hon'ble High Court in W.P 12327/2016, The State of Maharashtra & Ors Vs. P.D Dorkar & Anr. The same is taken on record. 3. Learned advocate for the applicant has submitted that the said list has not been forwarded to the applicant by the Respondents within the stipulated period, i.e. 17.1.2019 as directed by the Hon. High Court. 4. He further submitted that applicant wants to go through the said list and take necessary steps. 5. Learned advocate for the applicant states that applicant wants to implead some of the candidates as parties to the O.A and therefore, he seeks time to carry out the amendment. 6. In view of the submissions made by the learned advocate for the applicant, two weeks' time is granted for amending the O.A suitably. 7. S.O to 12.2.2019. <p>Sd/- (P.N Dixit) Member (A)</p> <p>Sd/- (B.P. Patil) Member (J)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No. _____ of 20

IN

Original Application No. _____ of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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29.01.2019

O.A 79/2019

Shri Nitin S. Kshirsagar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Neelima Gohad, learned Presenting Officer for the Respondents.
2. Learned advocate for the applicant prays for two weeks' time to amend the O.A and carry out certain correction.
3. Leave to amend the O.A granted with liberty to circulate.

Sd/-

(P.N Dixit)
Member (A)

Alm

Sd/-

(B.P. Patil)
Member (J)

DATE: 29/1/19
CORAM: B.P. Patil (M.J.)
Hon'ble Justice Shri A. Patil (Chairman)
Hon'ble Shri P. N. Dixit (Member A)
APPEARANCE:
Shri/Smt. K.R. Jagdale

Advocate for the Applicant

Shri/Smt. Ms. G. Gohad
P.O. for the Respondent/s

Adj./S.O. to leave to amend the
O.A granted with liberty
to circulate.