

Office Notes, Office Memoranda of Court, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.01.2019.</p> <p style="text-align: center;">O. A. No.646 of 2018</p> <p>A. S.ChavanApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. In this matter the arguments were heard yesterday and today the matter is kept for pronouncement of order. 3. Today, Shri A. J. Chougule, learned P.O. for the Respondents submitted that the Respondent No.1 has withdrawn the impugned order dated 01.06.2018 and, therefore, no cause of action survives to the Applicant. 4. Shir M. B. Kadam, learned Advocate for the Applicant submitted that as the impugned transfer order has been withdrawn by the Respondent No.1, this O.A. be disposed of with directions to the Respondent No.1 to issue posting order at his original place of posting i.e. from Vizori Saja to Akluj within a week. 5. Submission of the learned Advocate is quite fair and reasonable. 6. As the impugned transfer order has been withdrawn, no cause of action survives in the matter and, therefore, this Original Application is disposed of accordingly. 7. Respondent No.1 is directed to issue posting order of the Applicant at his original place of posting i.e. Akluj within a week from today. 8. No order as to costs. 9. Hamdast and steno copy is granted. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.01.2019.</p> <p>O.A.No.1119/2017 with O.A.1120/2017 with O.A.1125/2017</p> <p>R. S. Reve & Ors. A. D. Waghmare R. N. KatkarApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicants and the Advocate are absent in the morning session and, therefore, the matter was kept in the second session.</p> <p>2. However, in second session at 4.15 pm also the Applicants and their Advocate are absent. Smt. Kranti Gaikwad, learned P.O. holding for Ms S. P. Manchekar, learned C.P.O. is present.</p> <p>3. The matter pertains to appointment of Police Patil. As the Applicants and Advocate both are absent they seem not interested in the prosecution of the matters.</p> <p>4. In view of above, these Original Applications are dismissed in default. No order as to costs.</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 : 30.01.2019.</p> <p style="text-align: center;">O. A. No.15 of 2019</p> <p>C.S. GalkwadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C. T. Chandratre, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents. 2. Today, the learned P.O. for the Respondents has filed Affidavit-in-Reply on behalf of the Respondent Nos.1 to 3 and stated that the same be treated as a reply on behalf of Respondent No.4 also. 3. The Applicant has filed the present O.A. for directions to the Respondents to release his retiral benefits viz. final pension, leave encashment etc. However, the stand taken by the Respondents as seen from the reply filed today is that the second D.E. (Departmental Enquiry) has been initiated against the Applicant by issuing charge-sheet on 28.01.2019. The Applicant has retired in 2015 and now, the second D.E. is initiated against him. 4. In view of initiation of second D.E., Shri C.T. Chandratre, learned Advocate for the Applicant submitted that he is not pressing for the relief claimed in this O.A. presently and the application be disposed of with directions to the Respondents to pay provisional pension regularly. 5. In view of above, the Original Application is disposed of with directions to Respondents to pay provisional pension regularly. 6. So far as the second D.E. is concerned, the Applicant is at liberty to challenge the same, if so desire in accordance to law independently. 7. No order as to costs. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(I)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.01.2019.</p> <p>O.A.No.972 of 2018</p> <p>Dr. S. M. JadhavApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In the present matter, the Applicant has challenged his transfer order as he has not joined the posting given to him in transfer order. The Respondents had issued the suspension order which was subject matter of O.A. No.926/2018, which was allowed by order dated 04.01.2019. While deciding the suspension order, this Tribunal in so many words expressed that the suspension order is totally arbitrary, malafide and exhibits gross abuse of power. Consequently, the suspension order was quashed and directions were given to reinstate the Applicant within two weeks.</p> <p>3. Now, the period of near about one month is over but the directions given in O.A. are not complied with.</p> <p>4. In so far as this O.A. challenging the transfer order is concerned, the subsequent development is that the post of Nagpur where the Applicant was transferred had been filled in and the Respondent is considering the Applicant's representation dated 03.10.2018 for his transfer at other place. It is for this reason, the O.A. has been adjourned from time to time to facilitate the Respondents to consider the representation of the Applicant for giving him positing in view of the Government's Policy that spouses can be posted at one place.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Today, the learned P.O. for the Respondents submitted that the matter is under process and it may take two weeks time.</p> <p>6. On the same ground, the matter is adjourned from time to time. It is, therefore, high time to take the matter to the logical conclusion. The Respondent has not filed Reply in this O.A. though enough chances are granted. In fact, subsequently, the post of Nagpur where the Applicant has been transferred had been filled in and, therefore, the impugned transfer order dated 31.05.2018 had become inconsequential and needs modification by the Respondents at the earliest.</p> <p>7. In the meantime, the Applicant may avail the remedy of contempt on non-compliance of the order passed by this Tribunal in O.A.No.926/2018 decided on 04.01.2019 which seems to be the only way to get fruits of the order passed by this Tribunal.</p> <p>8. In view of above, the matter be kept on 04.02.1019 to apprise the Tribunal about modification of impugned transfer order.</p> <p>9. Hamdast and steno copy is granted.</p> <p>10. S.O. to 04.02.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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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 : 30.01.2019.</p> <p>O.A.No. 1145 of 2018</p> <p>S. P. NaikApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. At the outset it is seen that it is the second round of litigation because of non-compliance of the order passed by this Tribunal in O.A.No.256/2013 decided on 13.11.2013, whereby the directions were given to the Respondents to pay service benefits till he actually superannuated in view of the Provision of Section 47 of "The Persons with the Disabilities (equal 'Opportunities, Protection of Rights and Full Participation) Act, 1995". As the Applicant is permanently incapacitated for further service, he was held entitled for service benefits till he actually superannuates.</p> <p>3. Despite the judgment passed in O.A.256/2013 which admittedly had attained finality the Respondents have not released the benefits to him in pursuance of the judgment passed by the Tribunal. The Applicant made various representations to the Respondents to release his pay and allowances but in vein. Ultimately, he has approached this Tribunal again for the same directions for payment of pay and allowances in terms of order passed by this Tribunal.</p> <p>4. Thus, there seems to be defiance on the part of the Respondents to obey the order and in fact it calls for contempt proceeding in view of the order passed by this Tribunal in earlier O.A., I do not think it necessary that this matter needs detailed reply on the say of Respondents.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">-2-</p> <p>5. Learned P.O. is unable to explain why the order passed by this Tribunal in earlier O.A. 256/2013 has not been complied with. He is seeking two weeks time to file reply.</p> <p>6. As I said earlier that filing of reply would be mere formality.</p> <p>7. In view of above, the Respondent is directed to depute some responsible officer to attend this Tribunal on the next date and to explain why the order passed by this Tribunal in O.A.No.256/2013 has not been complied or whether there is any legal impediment or hurdle to comply the same.</p> <p>8. If the explanation found not satisfactory, further course of action for contempt will be considered seriously.</p> <p>9. In view of above, the matter is adjourned to 06.02.2019.</p> <p>10. Hamdast and steno copy is allowed.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. No.

of 20

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Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

30.01.2019

O.A 99/2019

Shri Pratik P. Jambhale ... Applicant

Vs.

M.P.S.C & Ors ... Respondents

1. Heard Shri Tushar L. Pimple, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Issue notice returnable on 7.2.2019.

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

4. Applicants are 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. Applicants are directed to file affidavit of compliance and notice.

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

8. S.O to 7.2.2019.

DATE: 30/1/19

CORAM: Shri B.P. Patil (M/J)

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

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

APPEARANCE:

Shri/Smt. Tushar L. Pimple

Advocate for the Applicant

Shri/Smt. Swati Manchekar

C.P.O. for the Respondent/s

Adj./S.O. to ESS Mr. Patil

returnable on 7/2/2019

Sd/-

(P.N Dixit)
Member (A)

Sd/-

(B.P. Patil)
Member (J)

**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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O.A. No.722 of 2018

Dr. R.A. Singh ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Ms. Sangita Dongare, learned Advocate holding for Shri D.S. Pagare, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO seeks two weeks time to file reply.

3. S.O. to 14.2.2019.

Sd/-

(P.N. Dixit)
Member (A)
30.1.2019

(sgl)

DATE: 30/1/2019

CORAM:

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

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

APPEARANCE:

Shri Ms. Sangita Dongare

Ld. Adv. holding for Adv. D.S. Pagare
Advocate for the Applicant

Shri/Smt. K.S. Gaikwad

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

Adj. S.O. to 14/2/2019

[Handwritten signature]

**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 Memorande of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE: <u>30/1/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri/Smt. <u>Appl. and Adv. for the appl.</u> <u>are absent</u> Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C.F./P.O. for the Respondent/s</p> <p>Adj./ S.O. to <u>13/2/2019</u></p> <p style="text-align: right;"><i>[Signature]</i></p>	<p style="text-align: center;"><u>O.A. No.315 of 2018</u></p> <p>M.R. Mithapalli ..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 seeks two weeks time to file reply.</p> <p>3. S.O. to 13.2.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 30.1.2019</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.

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<p>DATE : <u>30/1/2019</u></p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE : Shri/Smt. <u>L.S. Deshmukh</u></p> <p>Advocate for the Applicant : Shri/Smt. <u>S.P. Manchekar</u> C.F. J/P.O. for the Respondent/s</p> <p>Adj./S.O. to <u>13/2/2019</u></p> <p><i>[Signature]</i></p>	<p><u>O.A. No.669 of 2018</u></p> <p>S.R. Varkhande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri L.S. Deshmukh, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks two weeks time to file reply.</p> <p>3. S.O. to 13.2.2019.</p> <p>Sd/- (P.N. Dixit) Member (A) 30.1.2019</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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O.A. No.911 of 2018

S.D. Pol ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri M.L. Dhone, learned Advocate holding for Shri R.M. Kolge, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO files reply on behalf of respondent no.2 and the same is taken on record.

3. Admit. To come up final hearing in due course with liberty to file rejoinder, if any.

Sd/-

(P.N. Dixit)
Member (A)
30.1.2019

(sgj)

DATE: 30/1/2019

CORAM:

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

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

APPEARANCE

Shri/Smt. M.L. Dhone, L.A.W.

holding for Adv. R.M. Kolge
Advocate for the Applicant

Shri/Smt. S.P. MANCHEKAR ✓

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

Adj./ S.O. to Admit

B.H.

**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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O.A. No.868 of 2018

P.R. Shivade ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Ld. CPO undertakes to file reply during the course of the day. Ld. Advocate for the applicant seeks interim relief in the meanwhile. The issue of interim relief is kept open.

3. Admit. To come up for final hearing in due course. Applicant is at liberty to circulate for early hearing.

Sd/-

(P.N. Dixit)
Member (A)
30.1.2019

(sgl)

DATE: 30/1/2019

CORAM:

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

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

APPEARANCE

Shri K.R. Jagdale

Advocate for the Applicant

Shri/Smt. S.P. Manchekar

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

Adj./S.O. to Admit.

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

Tribunal's orders
M.A. No.39 of 2019 in O.A. No.988 of 2018

S.R. Kale ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.S. Tamhane, learned Advocate for the Applicant and Miss S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Issue notice returnable on 27.2.2019.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 M.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 and if service report on affidavit is not filed three days before returnable date, MA shall stand dismissed without reference to Tribunal and papers be consigned to record.

DATE: 30/1/2019

CORAM:

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

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

APPEARANCE:

Shri/Smt: A.S. Tamhane

Advocate for the Applicant

Shri/Smt: S.P. Manchekar

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

Adj/S.O. to Issue notice
returnable on 27/2/2019.

sgj

(sgj)

Sd/-

(P.N. Dixit)
Member (A)
30.1.2019


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20

IN

Original Application No. _____ of 20

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<p>DATE: <u>30/1/2019</u> CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A) APPEARANCE: Shri/Smt. <u>B. A. Bandiwadker</u> Advocate for the Applicant Shri/Smt. <u>S. Suryawanshi</u> C.P. /P.O. for the Respondent/s Adj. / S.O. to <u>1/3/2019</u> steno copy and Hamdast is allowed. </p>	<p><u>O.A. No.1002 of 2018</u></p> <p>Y.M. Pimple ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Miss Savita Suryawanshi, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks three weeks time to file reply.</p> <p>3. S.O. to 1.3.2019 by way of last chance. Time for filing reply would not be extended thereafter.</p> <p>4. Steno copy and hamdast is granted. Ld. PO is directed to communicate this order to the respondents.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 30.1.2019</p> <p>(sgl)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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>30/1/2019</u></p> <p>CURAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri P. N. Dixit Member (A)</p> <p>APPEARANCE: Shri _____ Appl. and Advocate for the appl. are absent Advocate for the Applicant</p> <p>Shri/Smt. <u>S.P. Manchekar</u> C. P.O. for the Respondent/s</p> <p>Adj./ S.O. to <u>1/2/2019</u></p> <p style="text-align: right;"><i>sgj</i></p>	<p style="text-align: center;"><u>O.A. No.992 of 2018</u></p> <p>A.A. Shinde & Ors. ..Applicants 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 undertakes to file reply during the course of the day.</p> <p>3. S.O. to 1.2.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 30.1.2019</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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O.A. No.687 of 2017

R.P. Doiphode & Ors. ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri Prashant Suryawanshi, learned Advocate holding for Shri G.M. Savagave, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Ld. PO mentions that replies from respondents no.5 to 8 are ready and to be affirmed. She seeks adjournment for one week.

3. S.O. to 6.2.2019.

Sd/-

(P.N/Dixit)
Member (A)
30.1.2019

DATE: 30/1/2019

CORAM:

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

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

APPEAR:

Shri/Smt Prashant Suryawanshi
holding for Adv G.M. Savagave
Advocate for Applicant

(sgj)

Shri/Smt A.J. Chougule

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

Adj/S.O. to 6/2/2019

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

Tribunal's orders
O.A. No.663 of 2017

V.Y. Yadav ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, Ld. Advocate for the Applicant and Miss Neelima Ghoad, Ld. PO for the Respondents.

2. Perused the record. On perusal it reveals that notice to the respondents had not been issued. Without issuing notice to the respondents the matter has been admitted and kept for final hearing inadvertently. In the interest of justice it is necessary to issue notice to the respondents and give them opportunity to defend the matter.

3. Hence, issue notice returnable on 21.2.2019.

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

5. 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.

6. 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.

7. 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.

8. In case notice is not collected within three days and if service report on affidavit is not filed three days before returnable date, OA shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. I.d. PO has submitted that she has instructions to appear in the matter and she waives service of notice on the respondents and seeks two weeks time to file reply.

10. S.O. to 21.2.2019.

DATE: 30/1/2019

CORAM: Shri P.N. Dixit (CMA)

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

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

APPEARANCES

Shri ~~.....~~ B.A. Bandiwadekar

Advocate for the Applicant

Shri/Smt. A.G. Ghosh

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

Adj./S.O. to Issue notice

returnable on 21/2/2019

DUC Adm.

[Signature]

Sd/-

(P.N. Dixit)
Member (A)
30.1.2019

(sgi)

Sd/-

(B.P. Patil)
Member (J)
30.1.2019

**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>30/1/2019</u> CORAM: <u>Shri. B.P. Patil (CMJ)</u> Hon'ble Justice <u>Shri A. H. Joshi (Chairman)</u> Hon'ble <u>Shri P. N. Dixit Member (A)</u> APPEARANCE: <u>Shri/Smt. Dr. Walekar Lt. Adv.</u> Advocate for the Applicant <u>Coram Resp. 2 & 3</u> <u>Shri/Smt. S. Suryavanshi</u> <u>Ch. P.O. for the Respondent's 1 & 4.</u> <u>Adv. B.A. Bandiwadkar Lt. Adv.</u> <u>Adj. S.O. to _____</u> <u>for the appl. in O.A.</u> <u>M.A. is disposed of with</u> <u>no order as to costs.</u> <u>g/e</u></p>	<p><u>30.01.2019</u> <u>M.A 12/2019 in O.A 413/2017</u></p> <p>Shri Pratik P. Jambhale ... Applicant Vs. M.P.S.C & Ors ... Respondents</p> <p>1. Heard Dr Walekar, learned advocate for the applicants (Original Respondents no 2 & 3 and Ms Savita Suryavanshi, learned P.O for Respondents no 1 & 4 and Shri B.A Bandiwadkar, learned advocate for the applicant in O.A.</p> <p>2. Learned advocate for the applicants (Original Respondents no 2 & 3) states that the applicants do not want to proceed with the M.A and therefore he prayed to disposed of the M.A.</p> <p>3. In view of submission made on behalf of the applicants (Original Respondents no 2 & 3), M.A is disposed of with no order as to costs.</p> <p>Sd/- _____ Sd/- _____ (P.N Dixit) (B.P. Patil) Member (A) Member (J)</p> <p>Akn</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 : 30.01.2019.</p> <p align="center">O.A.No.928 of 2018</p> <p>K. A. LoharApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule holding for Smt. Kranti GAikwad , learned Presenting Officer for the Respondents 3 & 4. Shri Sachin Chavan holding for Shri S. S. Tambekar, learned Advocate for the Respondent No.1 & 2.</p> <p>2. Learned Advocate for the Respondent Nos.1 & 2 has already filed reply on behalf of the Respondent No.2 (Page No.104 of the Paper-Book). He has stated that reply filed at page no.104 be also treated as a reply on behalf of Respondent No.1.</p> <p>3. Today, Shri A.J. Chougule, learned P.O. for the Respondents has filed reply on behalf of the Respondent No.3 and stated that the same be treated as a reply on behalf of Respondent No.4 also.</p> <p>4. Matter is adjourned for filing rejoinder.</p> <p>5. S.O. to 20.02.2019.</p> <p 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 : 30.01.2019.

O.A.No.1096 of 2018

V. K. Chaudhari

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Anand Gugale holding for Shri D. B. Khaire, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 27.02.2019.
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 27.02.2019.

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 : 30.01.2019.</p> <p align="center">O.A.No.757 of 2018 with O.A.No.758 of 2018</p> <p>P. U. NikaljeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri P. D. Shelake, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In fact on last date i.e. on 09.01.2019 the statement of Shri A. J. Chougule, learned P.O. was recorded that he will file the Affidavit-in-Reply during the course of the day and on recording his statement, the matter was adjourned for hearing at the stage of admission. However, the reply was not filed on 09.01.2019.</p> <p>3. Today, Ms N. G. Gohad, learned P.O. has filed Affidavit-in-Reply stating that the same could not be filed on 09.01.2019 inadvertently. The same is taken on record.</p> <p>4. The matters are adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 20.02.2019.</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 : 30.01.2019.</p> <p align="center">O.A.No.267 of 2018</p> <p>Dr. M. K. BarveApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. has filed Affidavit-in-Reply. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 20.02.2019.</p> <p 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 : 30.01.2019.

O. A. No.92 of 2019

P. B. Palsule

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Omkar Kulkarni, learned Advocate for the Applicants and Shri S. D. Dole, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 13.02.2019.
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 13.02.2019.

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

Date : 30.01.2019.

O. A. No.93 of 2019

R. J. Kamane

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri R. Hake Patil, learned Advocate for the Applicants and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 27.02.2019.
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 27.02.2019.

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

Date : 30.01.2019.

O. A. No.91 of 2019

R. K. Bhosale

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Mohan Patil holding for Shri T. K. Jadhav, learned Advocate for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 27.02.2019.
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 27.02.2019.

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

Date : 30.01.2019.

O. A. No.856 of 2018

D. B. Admane

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Omkar Kulkarni, learned Advocate for the Applicant and Ms S. Suryawanshi, learned Presenting Officer for the Respondents.
2. In this Original Application limited relief was claimed for directions to Respondent No.2 to permit him to join as 'Resident Naib Tahsildar' at Panvel, Dist. Raigad.
3. The Applicant has filed this Original Application contending that despite the order passed by the Government on 31.08.2018, the Respondent No.2 is not permitting him to join the post of 'Resident Naib Tahsildar' at Panvel in terms of the order passed by the Government.
4. On filing this O.A., interim relief was granted to the Applicant with directions to Respondent No.2 to permit the Applicant to resume his duty as 'Resident Naib Tahsildar' at Panvel in pursuance of the Government order dated 31.08.2018.
5. Today, the learned Advocate for the Applicant has submitted that in pursuance of interim order passed by this Tribunal, the Applicant has joined the post as 'Resident Naib Tahsildar' at Panvel. He has also tendered the copy of office order dated 01.10.2018 issued by the Divisional Commissioner.
6. Learned P.O. for the Respondents on instructions from Shri Rameshkumar Rajhans, Law Officer, Konkan Division also stated that the Applicant has joined to the post as 'Naib Tahsildar' at Panvel in pursuance of the order dated 31.08.2018.
7. As such, in view of the above admitted facts, nothing survives in this O.A. and it needs to be disposed of.
8. In view of above, Original Application is disposed off with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)