

**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 : 30.04.2019.</p> <p align="center">O.A.Nos.340, 343, 344 & 135 of 2018</p> <p>R. M. Shivsharan & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In terms of order passed by this Tribunal on 16.04.2019, today learned P.D. for the Respondents has filed short Affidavit of Respondent No.1 in each matter.</p> <p>3. As per the Affidavit filed today now the matter is under consideration in the office of Hon'ble Chief Minister being submitted to him on 23.04.2019. Shri S.D. Pawar, Under Secretary from Home Department is present before the Tribunal and submitted that he will pursue the file after elections are over and the decision taken by the Government will be informed to the Tribunal soon.</p> <p>4. In the present matter, the issue pertains to amendment to G.R. dated 28.06.2011 and it is pending for long time. This Tribunal hope and expect that appropriate decision will be taken by the Government in next four weeks.</p> <p>5. In view of above, the matter is adjourned to 13.06.2019.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</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 O.A. No.251 of 2018
	<p>S.B. Kashid ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Madhav Kulkarni, learned Advocate holding for Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents.</p> <p>2. Ld. Advocate for the applicant seeks leave to withdraw the OA with liberty to file fresh OA.</p> <p>3. Leave granted. OA is allowed to be withdrawn with above liberty and disposed off as such.</p> <p style="text-align: right;">Sd/- (P N, Dixit) Member (A) 30.4.2019</p> <p>(sgj)</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 <u>O.A. No.634 of 2018</u>
	<p>U.D. Kharat & Ors. ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosale, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for Respondents.</p> <p>2. Ld. Advocate for the applicant mentions that the amounts which has been recovered from the applicant needs to be refunded to them.</p> <p>3. The Ld. PO states that she will seek instructions from the concerned and wants four weeks time for the same.</p> <p>4. At the request of Ld. PO adjourned to 6.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 30.4.2019</p> <p>(sgj)</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 <u>O.A. No.741 of 2018</u>
	<p>M.L. Bramhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents.</p> <p>2. Id. CPO seeks three weeks time to file reply.</p> <p>3. S.O. to 6.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 30.4.2019</p> <p>(sgj)</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 <u>O.A. No.661 of 2018</u>
<p><u>DATE:</u> 30/4/2019</p> <p><u>CORAM:</u> Hon'ble Justice V.K. Rajwade (Chairman) Hon'ble Justice P. P. Pant (Member) A</p> <p><u>APPEARANCE:</u> Smt/Sr. Applicant and Advocate for the Applicant are absent. S.P. Manchekar Ld. C.P.O./Adv. for the Respondent/s</p> <p>Adj. To..... 13/6/2019</p> <p style="text-align: right;"><i>File</i></p>	<p>S.S. Panajkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents.</p> <p>2. At the request of Ld. CPO adjourned to 13.6.2019. She mentions that she is in correspondence with the respondents for consideration regarding the matter.</p> <p>3. S.O. to 13.6.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 30.4.2019</p> <p>(sgj)</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 O.A. No.94 of 2018
<p>DATE: <u>30/4/2019</u></p> <p>CORAM:</p> <p>Hon'ble Justice <u>Shri N. H. Joshi (Chairman)</u></p> <p>Hon'ble Justice <u>P.N. Dixit</u> (Member) A</p> <p>APPEARANCE:</p> <p>Applicant and Advocate for the Applicant are absent.</p> <p>Presented by <u>K.S. Gaikwad</u></p> <p>C.P.N. No. _____ Respondent/s</p> <p>Adj. To. <u>7/6/2019</u></p> <p><i>[Signature]</i></p>	<p>A.S. Jakkanawar ..Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate for the Applicant are absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Ld. PO seeks three weeks time for removing certain objections by the Accounts Officer. As per her request adjourned to 7.6.2019 for intimating progress.</p> <p>3. S.O. to 7.6.2019.</p> <p style="text-align: right;">Sd/- _____ (P.N./Dixit) Member (A) 30.4.2019</p> <p>(sgj)</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><u>30.04.2019</u></p> <p><u>O.A No 357/2018, 646/2017, 720/2018, 349/2018, 348/2018, 347/2018 & 41/2018</u></p> <p>Ms M.K Achare & Other ... Applicants Vs. The State of Maharashtra & Ors.. Respondents</p> <p>1. Heard Shri A.R Rathod, Shri K.R Jagtap, Shri C.R Nagare & Shri G.S Shukla, learned advocate for the applicants and Ms Swau Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned. Cine die with liberty.</p> <p style="text-align: right;">Sd/- (A.H Joshi, J.) Chairman</p> <p>Akn</p>

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

Tribunal's orders
Date : 30.04.2019.

O.A.No.621 of 2018

V. K. Patil

....Applicant

Versus

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

1. Heard Shri N. Y. Chavan, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.
2. The Applicant stands retired from service w.e.f. 28.02.2015, however still regular pension and other retirement benefits have not been granted and, therefore, she has filed the present O.A. Earlier provisional pension was granted out that was also stopped.
3. Perusal of O.A. reveals that the Applicant was absent on duty from 01.07.2010 to 12.06.2011 and the proposal to treat the said period as Extra Ordinary Leave has been forwarded by the department to the Government as seen by letter dated 08.01.2016 issued by the Superintendent Engineer, P.W.D. Kalhapur.
4. Thus, it seems that because of the hurdle of non-regularizing of absence period from 01.07.2010 to 12.06.2011, the regular pension and other retirement benefits are not paid.
5. When this specific aspect is brought to the notice of the learned P.O., she submits that she will take instructions from the department about the decision on the proposal forwarded to the Government as reflected in letter dated 08.01.2016. She is directed to take instructions from the department and to apprise the Tribunal about the same.
6. As there seems to be no hurdle to continue provisional pension which was granted earlier, the Respondents are directed to continue the provisional pension till final pension is granted.
7. Hamdast and steno copy is granted.
8. Adjourned for final hearing on 07.06.2019.

Sd/-

(A.P. Kurhekar)
Member(J)

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="673 387 868 415">Date : 30.04.2019.</p> <p data-bbox="852 437 1047 466">O.A.No.81 of 2019</p> <p data-bbox="673 488 1201 517">S. P. PathakApplicant</p> <p data-bbox="673 539 747 568">Versus</p> <p data-bbox="673 590 1177 619">The State of Maharashtra & Ors. ...Respondents.</p> <p data-bbox="673 641 1226 763">1. Heard Shri S. B. Deshpande, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p data-bbox="673 785 1234 1404">2. In the present O.A., the Applicant has challenged the suspension order dated 20.02.2010. The Applicant was kept under suspension by order dated 20.02.2010. He stands retired on 31.12.2010. thereafter two Departmental Enquiries (D.E.) were initiated and completed in 2018. By order dated 23.07.2018, the punishment of deduction of 6% pension for 10 years has been passed similarly in another D.E. dated 28.09.2018 punishment of deduction of pension @6% per month for 10 years was imposed. The Applicant has filed two Appeals dated 14.08.2018 and 05.11.2018 against the order of punishment. However, the Appeals are not yet decided.</p> <p data-bbox="673 1448 1226 1614">3. It is on the above background, the Applicant has filed the present O.A. on 22.01.2019 to set aside the suspension order dated 20.02.2010 and for direction to pay the retiral benefits.</p>

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

Tribunal's orders

4. In first place, now the question of quashing the suspension order dated 20.02.2010 does not survive as the Applicant had already stands retired on 31.12.2010. Thereafter, the departmental proceedings were initiated against him and punishment was imposed. True, there is inordinate delay in completion of D.E.. However, in so far as the present O.A. is concerned, the relief prayed is for setting aside the suspension order and for grant of retiral benefits.

5. Learned Advocate for the Applicant sought to contend that there is inordinate delay in completion of D.E. and thereby the Applicant has been deprived of getting retiral benefits at the earliest. He has further urged that the Applicant is only getting Provisional Pension and Gratuity is not yet paid.

6. As stated above, as the Applicant already stands retired in 2010 and departmental proceedings are also completed with the order or punishment, now the question of setting aside the suspension order does not survive and to that extent the O.A. is infructuous.

7. In view of above, the O.A. deserves to be disposed of with suitable directions. Hence the following order.

ORDER

- (A) The Original Application is disposed of with direction to the Respondents to release the regular pension as well as gratuity and other retiral benefits of the Applicant as per his entitlement and in view of the punishment imposed upon him in D.E.
- (B) The monetary benefits be accordingly released within one month from today.
- (C) The Respondent is also directed to decide the Appeal dated 14.08.2018 and 05.11.2018 filed by the Applicant against the orders passed in departmental proceedings within three months from today in accordance to rules.
- (D) Needless to mention that if the Applicant felt aggrieved by the decision of the Appellate Authority he can take recourse of law as may be permissible to him.
- (E) No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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 : 30.04.2019.</p> <p align="center">O.A.No.1110 of 2018</p> <p>D. K. KedariApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. K. Barve, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A., the Applicant is seeking direction for refund of amount at his credit in his Defined Contributory Pension Scheme (DCPS) account. The Applicant was relieved from service on 31.05.2015 and thereafter he made various representations for refund of his DCPS amount at his credit. He has joined Central Government service. Despite various representations, the amount at his credit in DCPS Scheme has not been refunded nor credited in his NPS account. Therefore, he has filed the present O.A.</p> <p>3. The Respondents have submitted Affidavit-in-Reply wherein it is stated that as per Notification dated 12.11.2010 from the total amount of the DCPS/NPS at his credit 20% will be refunded to the Applicant and remaining 80% will be transferred to his NPS account for getting pension after retirement. There is absolutely no explanation for delay in transfer of DCP5 amount. When the learned P.O. is asked about the delay, she simply stated that she has no instructions in this behalf.</p>

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

Tribunal's orders

4. As stated above, the Applicant was relieved from the State Government service on 31.05.2015. Thereafter, he made various representations for transfer/refund of the amount at his credit in DCPS Scheme but in vain. Beside the leave encashment has not been paid after the delay of two years, ~~As~~ such, inaction and negligence on the part of the Respondents to refund/transfer the amount of DCPS of the Applicant is obvious.

5. In view of above, the O.A. deserves to be disposed of by suitable directions. Hence the following order.

ORDER

- (A) The O.A. is disposed with direction to the Respondents to refund as well as transfer the amount due at the credit of Applicant under DCPS Scheme within one month from today as per DCPS Rules failing which the Respondents will be liable to pay interest on the same.
- (B) In so far as the interest on the amount of DCPS as well as leave encashment is concerned, the Respondents shall find out whether the amount has been withheld due to administrative lapse and if so, the interest at the permissible rate as provided u/s 129(B) of the Pension Rules be granted.
- (C) The decision about entitlement of the Applicant for the interest be also taken within one month and it be communicated to the Applicant within a week thereafter.
- (D) If the Applicant felt aggrieved, he can take recourse of law as may be permissible to law.
- (E) No order as to costs.

Sd/-

(A.P. Kurhekar)
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
	<p>Date : 30.04.2019.</p> <p align="center">M. A. No.61 of 2019 in O.A.No.126 of 2019</p> <p>K. S. JagtapApplicant</p> <p align="center">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 Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, the learned P.O. for the Respondents has filed reply to M.A. It is taken on record. 3. The matter is adjourned for hearing with other connected matters. 4. S.O. to 11.06.2019. <p align="right">Sd/- WV (A.P. Kurhekar) Member(J)</p>

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
	<p>Date : 30.04.2019.</p> <p align="center">M. A. No.80 of 2019 in O.A.No.152 of 2019</p> <p>A. R. JadhavApplicant</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 Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. for the Respondents has filed reply to M.A. It is taken on record.</p> <p>3. The matter is adjourned for hearing with other connected matters.</p> <p>4. S.O. to 11.06.2019.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

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

Tribunal's orders
Date : 26.04.2019.

M.A. No.161 of 2019 and M.A.No.162 of 2019
in O. A. No.862 of 2018

The State of Maharashtra & Ors.Applicants
(Ori. Respondents)

Versus

J. V. Bandgar ...Respondent (Ori. Applicant)

1. Heard Ms N. G. Gohad, learned P.O. for the Applicants (Ori. Respondents) and Shri K. Y. Mali, learned Advocate for the Respondents.

2. In view of the order passed in M.A. No.200/2019 in M.A.161/2019 and M.A.162/2019 in O.A.862/2018, M.A. Nos.161 and 162/2019 are restored to the file.

3. Issue fresh notice before admission returnable on 10.06.2019.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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 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.

9. S.O. to 10.06.2019.

Sd/-

(A.P. Kurhekar)
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
	<p>Date : 26.04.2019.</p> <p align="center">M. A. No.200 of 2019 in M.A. No.161 of 2019 and M.A.No.162 of 2019 in O. A. No.862 of 2018</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p align="center">Versus</p> <p>J. V. Bandgar ...Respondent (Ori. Applicant)</p> <p>1. Heard Ms N. G. Gohad, learned P.O. for the Applicants (Ori. Respondents) and Shri K. Y. Mali, learned Advocate for the Respondents.</p> <p>2. M.A. No.200/2019 is filed for restoration of M.A. Nos.161 and 162 of 2019 which were dismissed in default for non compliance of order passed by this Tribunal on 27.03.2019.</p> <p>3. Learned P.O. for the Applicants (Ori. Respondents) submitted that Affidavit of service could not be filed within time limit and, therefore, M.A.No.s161 and 162/2019 were dismissed in default by virtue of condition order.</p> <p>4. In view of above, it is desirable to hear the M.A.Nos.161 and 162/2019 on merit. Therefore, M.A. Nos.200 of 2019 for restoration is allowed and M.A. No.s161 and 162/2019 are restored to the file.</p> <p>5. Accordingly, M.A.No.200/2019 is disposed off with no order as to costs.</p> <p align="right">Sd/- (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 : 30.04.2019.

M. A. No.201 of 2019 in O. A. No.382 of 2019

J. H. Sawant

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri G. P. Chavan, learned Advocate for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 03.06.2019.
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 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 seven days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 03.06.2019.

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 : 30.04.2019.

O. A. No.437 of 2019

N. P. Swami

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri V. V. Joshi, learned Advocate for the Applicants and Shri S. D. Dole, learned Presenting Officer for the Respondents.
2. In the present O.A., the applicant is seeking direction to release retiral benefits which seems to have been not paid for want of some procedural compliance. The Applicant stands retired on 31.05.2018. Though, the period of near about one year is over, the Applicant is deprived of getting retiral benefits. The perusal of O.A. reveals that pension papers were forwarded to the office of Accountant General (A.G.) but certain discrepancies were noted and, therefore, the proposal was sent back to the office of Executive Engineer (Respondent No.3).
3. In view of above, the learned P.O. for the Respondents is directed to take instructions from the Executive Engineer (Respondent No.3) to know why the pension has been withheld. He should take instructions and apprise the Tribunal on 03.05.2019.
4. S.O. to 03.05.2019.

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 : 30.04.2019.

O. A. No.435 of 2019 with M.A. No.238 of 2019

D. V. KaleApplicant

Versus

The State of Maharashtra & Ors.Respondents.

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 11.06.2019.
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 11.06.2019.

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 : 30.04.2019.

O. A. No.434 of 2019 with M.A. No.237 of 2019

N. S. Yande ...Applicant

Versus

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

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 11.06.2019.

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 11.06.2019.

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 : 30.04.2019.</p> <p>O. A. No.436 of 2019 with M.A. No.239 of 2019</p> <p>B. K. KalekarApplicant</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 Smt. Archana B. K., learned Presenting Officer for the Respondents.2. Issue notice before admission returnable on 11.06.2019.3. 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 11.06.2019. <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 : 30.04.2019.

O. A. No.433 of 2019 with M.A. No.236 of 2019

B. R. KalekarApplicant

Versus

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

1. Heard Shri V. V. Joshi, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 11.06.2019.

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 11.06.2019.

Sd/-

(A.P. Kurhekar)
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
	<p>Date : 30.04.2019.</p> <p align="center">O.A.No.305 of 2019</p> <p>M. P. PadvalApplicant</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Ghogare, 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 reply on behalf of the Respondent No.1. It is taken on record. 3. The matter is adjourned for hearing at the stage of admission. 4. S.O. to 03.05.2019. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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 : 30.04.2019.</p> <p>O.A.No. 193 of 2019</p> <p>G. S. MadgulkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submitted that reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 07.06.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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 : 30.04.2019.</p> <p>O.A.No.293 of 2019</p> <p>D. R. DhumalApplicant</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 Ms N.G Gohad, learned Presenting Officer for the Respondents.2. Today, the learned P.O. has filed reply on behalf of the Respondent Nos.1 to 3. It is taken on record.3. On the request of learned Advocate for the Applicant, the matter is adjourned for filing rejoinder.4. S.O. to 11.06.2019. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

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

Tribunal's orders

Date : 30.04.2019.

O.A.No.1094 of 2018

R. R. ThakkarApplicant

Versus

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

1. Heard Shri U. V. Bhosle, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. In the present O.A., the Applicant has sought relief to set aside the recovery of Rs.3,56,941/- from the retiral benefits as well as also sought direction to release the retiral dues i.e. pension, gratuity, leave encashment etc.
3. Today, the learned P.O. has tendered a letter dated 30.04.2019 issued by the Government stating that the Government has taken decision not to recover Rs.3,56,941/- from the retiral dues of the Applicant. The letter further states that the retiral dues of the Applicant be released accordingly. The Applicant stands retired on 29.02.2016 but retiral dues were withheld because of the order of recovery of Rs.3,56,941/- which is now cancelled by the Government.
4. However, learned Advocate for the Applicant prayed for liberty to make representation to the Respondents for grant of interest on delayed payment.
5. In view of above, the O.A. is disposed of.
6. The Applicant is at liberty to make representation to the Respondents for grant of interest on delayed payment which may be dealt with in accordance to rules.
7. 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
	<p>Date : 30.04.2019.</p> <p>O.A.No.166 of 2019</p> <p>N. w. Dandekar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants and Smt. Kranti Gaikwad, 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. The matter is adjourned for hearing along with connected O.A.No.266 of 2018.</p> <p>4. S.O. to 12.06.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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 : 30.04.2019.</p> <p align="center">O.A.No.431 of 2019</p> <p>T. B. BorateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale holding for Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is taken on board by circulation to extend the returnable date. As per order dated 25.04.2019, notice has issued returnable on 02.05.2019 on the request of learned Advocate for the Applicant.</p> <p>3. However, today Shri U. V. Bhosale holding for Shri K.R. Jagdale, learned Advocate for the Applicant submitted that returnable date be extended and the matter be kept after vacation.</p> <p>4. In view of above, returnable date is extended to 07.06.2019.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</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: <u>30/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) <u>P. N. Dixit (M.A)</u></p> <p><u>C.R. Nagare</u> Advocate for the Applicant</p> <p><u>S.P. Manchekar</u> Sd/- / Smt. _____ C.P.O / P.O. for the Respondent/s</p> <p><u>O.A. is disposed as withdrawn.</u></p> <p><i>prk</i></p>	<p>Date : 30.04.2019.</p> <p>O.A.No.163 of 2018 (Subject : Selection)</p> <p>J.R. MoundekarApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.R. Nagare, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Shri C.R. Nagare for the Applicant prays for permission to withdraw the O.A. with liberty to file fresh for some reliefs on all grounds available in law.</p> <p>3. In view of foregoing, O.A. is disposed as withdrawn.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Member(A)</p> <p style="text-align: right;">Sd/- (A.H. Joshi (J.)) Chairman</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>DATE : 30/4/19</p> <p>CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman)</p> <p>APPEARANCE: Sri/Smt. Punam Mahajan, Advocate for the Applicant Mrs. S.P. Manchekar C.P.O. for the Respondents Adj./S.O. to 11/6/19</p> <p>Head order passed in Tribunal column</p> <p style="text-align: right;">R</p>	<p>Date : 30.04.2019.</p> <p style="text-align: center;">O.A.No.429 of 2019</p> <p>A.M. MandapeApplicant. Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 11.06.2019. 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 11.06.2019. <p style="text-align: right;">R</p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</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 <u>O.A. No.14 of 2018</u>
<p>DATE: <u>30/4/2019</u></p> <p>CORAM: Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A</p> <p>APPEARANCE: Shri/Smt. <u>M.B. Kadam Ld. Adv.</u> <i>Ld. holding for Shri P.V. Patil</i> Advocate for the Applicant Shri/Smt. <u>S.P. Manchekar</u> C.P.O / P.O. for the Respondent/s</p> <p>Adj. To <u>21/5/2019</u></p> <p style="text-align: right;"><i>BTE</i></p>	<p>Dr. R.S. Shinge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate holding for Shri P.V. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents.</p> <p>2. Ld. CPO undertakes to file reply during the course of the day and serve it on the Ld. Advocate for the applicant.</p> <p>3. S.O. to 2.5.2019.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Member (A) 30.4.2019</p> <p>(sgj)</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: <u>30/4/19</u></p> <p>CORAM</p> <p>Hon'ble Justice Dr. ...</p> <p>ATTENDANCE</p> <p>Shri. <u>R. Sorankar</u></p> <p>Shri. <u>K. S. ...</u></p> <p>C.P.O./P.O. for the respondent/s</p> <p>Adj./S.O. to <u>8/5/19</u></p> <p><i>[Signature]</i></p>	<p><u>30.04.2019</u></p> <p><u>O.A No 308/2019</u></p> <p>Shri M.B Sonawane ... Applicant Vs. The State of Maharashtra & Ors... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri R. Sorankar, learned advocate for the applicant and Smt Kranu S Gaikwad, learned Presenting Officer for the Respondents. 2. Learned P.O prays for time for filing affidavit. 3. Affidavit be filed within one week. 4. S.O to 8.5.2019. <p style="text-align: right;"><i>[Signature]</i></p> <p style="text-align: right;">Sd/- (A.H. Joshi, J.) Chairman</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

(Presenting Officer.....) Respondent/s

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

Tribunal's orders

Date : 30.04.2019.

O.A.No.672 of 2018
(Subject : Removal from service)

J.D. ManeApplicant.

Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents.

2. Learned Advocate Smt. Punam Mahajan for the Applicant prays for permission to withdraw the O.A. with liberty to file fresh in view of subsequent developments.

3. Disposed with liberty as prayed.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

DATE : 30/4/19.

CORAM :

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

APPEARANCE:

Shri Smt. Punam Mahajan.

Advocate for the Applicant

Shri Smt. S.P. Manchekar

C.P.O. for the Respondent/s

Adi./S.O. to Head.

order passed in
Tribunal column.
Disposed with liberty
as prayed.

D