

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="609 431 803 464">Date : 30.09.2019.</p> <p data-bbox="803 486 1031 519">O.A.No.1123 of 2018</p> <p data-bbox="600 530 1136 575">A.B. GawariApplicant</p> <p data-bbox="600 586 673 619">Versus</p> <p data-bbox="600 652 1153 696">The State of Maharashtra & Ors. ...Respondents.</p> <p data-bbox="592 718 1226 818">1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p data-bbox="592 840 1226 1006">2. In the present O.A., the Applicant has challenged the impugned transfer order dated 15.11.2018 on the ground that he was not given posting as per the options given by him and subjected to discrimination.</p> <p data-bbox="576 1028 1218 1327">3. The Applicant was posted as Naib Tahsildar at Solapur w.e.f. 17.12.2013 and had completed normal tenure. After completion of normal tenure, he had made representation dated 11.04.2018 and has given ten options. However, none of his options were considered and by order dated 15.11.2018, he was transferred as Naib Tahsildar (Election), Phaltan, Dist. Satara.</p> <p data-bbox="576 1338 1209 1504">4. During pendency of O.A., the Government has passed the order dated 02.05.2019 rejecting his request for transfer in Home, Dist. Pune only on the ground of ensuing Legislative Assembly Election, 2019.</p> <p data-bbox="1096 1791 1161 1824">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram,
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5. Perusal of record reveals, particularly letter dated 13.05.2019 issued by the Divisional Commissioner that the post of Naib Tahsildar at Junnar and two posts at Ambegaon are vacant.

6. By way of amendment, the Applicant has also challenged the order dated 02.05.2019 which has been passed during the pendency of O.A. thereby rejecting the request of the Applicant for posting in Pune District.

7. Thus, what transpires that the Applicant's request for Home District has been rejected solely on the ground of Legislative Assembly Election scheduled in October, 2019.

8. In view of above, O.A. can be disposed of with suitable directions to consider the request / representation of the Applicant for Home District after elections are over.

9. It is desirable that Applicant should make fresh representation within two weeks from today and the same shall be considered by the Respondent No.1 within two months thereafter. -

10. Original Application is therefore, disposed of with following directions.

ORDER

- (A) The Applicant shall make representation to Respondent No.2 - Divisional Commissioner for change in his posting and the same shall be considered and decided by the Respondents appropriately within two months from the date of receipt of the representation and the decision shall be communicated to the Applicant within two weeks thereafter.
- (B) If the Applicant felt aggrieved by the decision, he may avail legal remedy in accordance to law.
- (C) No order as to costs.

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 : 30.09.2019</p> <p>O.A.No.961 of 2019</p> <p>R.P. Adisare .. Applicant. Versus The State of Maharashtra & Ors. Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K. Gaikwad, learned P.O. for the Respondents. 2. Issue notice before admission returnable on 04.11.2019. 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 04.11.2019. <p style="text-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 : 30.09.2019</p> <p>R.A.No.14 of 2019 in O.A.No.103 of 2019</p> <p>B.L. PatilApplicant. Versus The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. holding for Smt. Archana B.K. for the Respondents.</p> <p>2. Today learned P.O. Smt. K.S. Gaikwad has filed affidavit-in-reply in R.A. The same is taken on record.</p> <p>3. Adjourned for hearing on 24.10.2019.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>prk</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

Date : 30.09.2019.

O.A.No.666 of 2019

S. P. HadakeApplicant

Versus

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

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.

2. Learned Counsel for the Applicant submits that Affidavit-in-Rejoinder will be filed during the course of the day.

3. The matter is adjourned for hearing at the stage of admission.

4. S.O. to 23.10.2019.

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 : 30.09.2019.</p> <p>O.A.No.278 of 2019</p> <p>B. B. RathodApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.4. It is taken on record. Affidavit of Respondent No.1 is already on record. No reply is filed on behalf of the Respondent Nos.2 and 3.</p> <p>3. On the request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 17.10.2019.</p> <p>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 _____

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 : 30.09.2019.</p> <p align="center">O.A.No.224 of 2019</p> <p>S. D. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is fixed for final hearing. However, at the very outset, it is noticed that there is a typographic mistake in prayer clause No.15(a)(ii), where instead of 12.01.2009, it is typed as 12.01.2001.</p> <p>3. Perusal of order dated 21.12.2017 reveals that the Applicant was given deemed date of promotion in the cadre of PI from 12.01.2009 as such obviously there is a typographical mistake in prayer clause of the O.A.</p> <p>4. Learned Counsel for the Applicant has requested to correct the date, it being typographical mistake.</p> <p>5. Allowed to correct the typographical error in prayer clause.</p> <p>6. Necessary correction be carried out during the course of the day.</p> <p>7. S.O. to 07.10.2019.</p> <p 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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 30.09.2019.</p> <p>O.A.No.903 of 2019</p> <p>D. S. DeshmukhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person as well as Shri M. B. Kadam, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed the present O.A. seeking direction to Respondents to release his retiral dues which were withheld despite his retirement on 13.04.2018.</p> <p>3. However, today learned Counsel has tendered a letter of the Applicant stating that the department has processed the pension papers, and therefore, seeks permission to withdraw the O.A. Letter is taken on record and marked as letter 'X' for identification.</p> <p>4. Thus, Applicant's grievance seems to have been in the process of redressal.</p> <p>5. In view of above, Original Application is disposed of with no order as to costs.</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

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 : 30.09.2019.</p> <p>O.A.No.668 of 2019</p> <p>D. K. PajaiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.</p> <p>3. S.O. to 09.10.2019.</p> <p>Sd/-</p> <p>(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
R.A. No.12 of 2017 in O.A. No.808 of 2016

J.M. Gurav ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri S.D. Dhongade, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. Ld. PO files reply on behalf of respondent no.2 and provides copy to the Ld. Advocate for the applicant.

3. The respondents are directed to furnish compliance regarding para 2 of the order dated 12.4.2019 passed in the above matter which reads as under:

"2. Respondents no.1 & 2 are directed to file affidavit explaining as to whether the representation dated 12.9.1991 was received and fate thereof on or before next date."

4. Admit. Place the above matter for final hearing on 9.12.2019.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
30.9.2019

(sgj)