

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 : 31.01.2020</p> <p style="text-align: center;">O.A.No.1139 of 2017</p> <p>D. K. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere, learned Counsel with the Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, the matter is for final hearing. 3. Shri S. S. Dere, learned Counsel submits that Applicant intends to engage another Advocate. 4. Applicant in person also states that he wants to engage another Advocate and requested for two weeks time. 5. As the matter is old, request for two weeks time cannot be accepted. 6. One week's time is granted to engage lawyer, if desires. 7. S.O. to 07.02.2020. <div style="text-align: right; margin-top: 20px;"> <p>Sd/- _____</p> <p>(A.P. Kurhekar)</p> <p>Member(J)</p> </div>

vsm

**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 : 31.01.2020</p> <p style="text-align: center;">O.A.No. 41 of 2020</p> <p>S. S. BharadkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has tendered the copy of order dated 30.01.2020 whereby the Government had issued directions to Respondent No.2-The Commissioner of Sports & Youth Services, Pune to include the name Applicant in waiting list.</p> <p>3. Learned P.O is directed to ensure the compliance of order dated 30.01.2020 and should produce the document on next date to show that Applicant's name is accordingly taken in waiting list.</p> <p>4. Besides, there is no compliance of filing of affidavit as per the directions of this Tribunal in order dated 24.01.2020.</p> <p>5. S.O. to 07.02.2020 for aforesaid compliance.</p> <p style="text-align: right;">Sd/- WV- (A.P. Kurhekar) Member(J)</p> <p style="text-align: center;">vsm</p> <p style="text-align: right;">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 31.01.2020</p> <p>O.A.No.1048 of 2019</p> <p>J. M. LihitkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Gaurav Bandiwadekar, learned Counsel for the Applicant and Shri S. D. Dole, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 14.02.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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..... 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 : 31.01.2020</p> <p>O.A.No.251 of 2019</p> <p>D. S. SabaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. B. Nitke, learned Counsel for the Applicant, Shri S. D. Dole, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri S. S. Dere, learned Counsel for the Respondent No.4.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 to 3.</p> <p>3. One week's time is granted for filing reply on behalf of the Respondent No.4.</p> <p>4. S.O. to 10.02.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 31.01.2020</p> <p>M.A. No.653 of 2019 in O.A.No.831 of 2019</p> <p>A. R Supare/DeotaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for condonation of delay of 73 days caused for challenging the transfer order dated 08.06.2018 whereby the Applicant who was working on the post of Assistant Public Prosecutor transferred from Mumbai to Gondiya.</p> <p>3. The Applicant in person contends that her daughter was learning in 9th standard in Mumbai in CBSC Board, and therefore positing given to Gondiya was inconvenient to her. Therefore, she made various representations dated 11.06.2018 and 13.06.2018 to the Respondents to consider her difficulties and to cancel the transfer. However, it was not responded. Therefore, ultimately she has filed the present O.A. on 21.08.2019 as it is delayed for 73 days, application for condonation of delay is filed.</p> <p>4. Learned P.O. submits that representation of the Applicant was rejected in September, 2019 but she did not join at Gondiya. Learned P.O., therefore, opposes the application for condonation of delay.</p> <p>5. It appears that Applicant was waiting for earliest favourable decision on the representation, and therefore, she did not file the O.A. immediately.</p> <p>6. As such, the delay, in my opinion, is explained properly and deserves to be condoned so that O.A. can be heard on merit.</p> <p>6. Misc. Application is allowed and disposed of with no order as to cost.</p> <p>7. O.A. be kept for hearing at the stage of admission.</p> <p>8. S.O. to 14.02.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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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 : 31.01.2020</p> <p>O.A.No.649 of 2017</p> <p>Ms M. S. KhotApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Applicant is continuously absent from so many dates. Heard Shri A. J. Chougule, learned P.O. for the Respondents.</p> <p>2. Though, the Applicant absent continuously from so many dates, the matter was adjourned to give fair opportunity to the Applicant to remain present as she has filed the present O.A. in person.</p> <p>3. Despite enough chances, she is continuously absent. Matter is of 2017. Thus, Applicant appears not interested in the matter.</p> <p>4. Hence, O.A. is dismissed in default with no order as to cost.</p> <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 31.01.2020</p> <p>O.A.No.1229 of 2018</p> <p>M. R. MajeedApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submits that in terms of order passed by this Tribunal on 16.01.2020, final pension and gratuity is sanctioned by the office of AG and payment will be made within two weeks.</p> <p>3. However, learned Counsel for the Applicant raised the issue of interest contending that though the Applicant retired in 2013, however, vital benefits are withheld for long time, and therefore, Applicant is entitled for interest on delayed payment of GIS, Leave Encashment, Provident Fund etc.</p> <p>4. On the request of learned P.O., two weeks time is granted for filing reply.</p> <p>5. Learned P.O. is further directed to file separate Affidavit of Principal Secretary, Social Justice and Special Assistance Department, Mumbai about the action taken for delay in serving the order of punishment upon Applicant and steps taken by the department to fix the responsibility of the concerned.</p> <p>6. Hamdast granted.</p> <p>7. S.O. to 14.02.2020.</p> <p style="text-align: right;"> [^] Sd/- _____ ^w (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>31.01.2020</p> <p><u>M.A 57/2020 in O.A 73/2020 with O.A 73/2020</u></p> <p>N.R Manaware & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents,</p> <p>2. Issue notice in both M.A as well as O.A returnable on 13.2.2020.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>8. S.O to 13.2.2020.</p> <p>Sd/- (A.P Kurhekar) Member (J)</p> <p>Sd/- (Shree Bhagawan) Vice-Chairman (A)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>31.01.2020</u></p> <p><u>O.A 96/2020</u></p> <p>Chandrakant R. Baviskar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte learned advocate for the applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents,</p> <p>2. Issue notice returnable on 27.2.2020.</p> <p>3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>8. S.O to 27.2.2020.</p> <p>Sd/- (A.P Kurhekar) Member (J)</p> <p>Sd/- (Shree Bhagawan) Vice-Chairman (A)</p> <p>Akn</p>

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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 : 31.01.2020.</p> <p>O.A.No.739 of 2018</p> <p>P.D. YadavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Dr. Gunratan Sadavarte, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents has tendered affidavit-in-reply. The same is taken on record. Copy of the same is served to learned Advocate for the Applicant.</p> <p>3. Learned Advocate for the Applicant desires to file rejoinder.</p> <p>4. Adjourned to 27.02.2020.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>Sd/- (Shree Bhagwan) Vice-Chairman</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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><u>31.01.2020</u></p> <p><u>O.A 627/2017</u></p> <p>Smt S.B Kare & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavare, learned advocate for the applicants and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. It appears that earlier Respondents had submitted before this Tribunal that orders will be issued shortly. However, till date no orders have been passed.</p> <p>3. Learned counsel for the applicants has pointed out list of candidates at pages 23 to 25 where names of 13 candidates have been mentioned and in the last column it is mentioned that their services are continued without passing any examination. All benefits have been given to the employees since joining of their services. However, applicant no 5, Smt Mangal P. Bhalerao and applicant no. 8, Smt Devyani N. Thakre are deprived from such kind of benefits.</p> <p>4. Respondent no. 1, i.e. Director, Health Services, Public Health Department, Govt. of Maharashtra is directed to take decision regarding applicants no 5 and 8 on similar lines as decision taken against similarly placed employees within one month from the date of this order.</p> <p>5. With the above directions, Original Application stands disposed of. No order as to costs.</p> <p>6. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondents.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(A.P Kurhakar) Member (J)</p> <p>(Shree Bhagawan) Vice-Chairman (A)</p> <p style="text-align: center;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>31.01.2020</u></p> <p><u>O.A 1235/2019</u></p> <p>Shri M.K Shivsaran & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavare, learned advocate for the applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O submitted that Respondents have not filed reply till today. Learned P.O is directed to file a short affidavit before the next date of hearing about his efforts made by him for filing reply by the Respondents.</p> <p>3. Learned Counsel for the applicants submitted that similar Original Applications are pending at Nagpur Bench of this Tribunal also.</p> <p>4. Registrar, Principal Bench, may place the matter before the Hon'ble Acting Chairman to pass suitable orders so that all the matters can be tagged and heard together and disposed of at one Bench.</p> <p>5. S.O to 20.2.2020.</p> <p>Sd/- (A.P Kurhekar) Member (J) Akn</p> <p>Sd/- (Shree Bhagawan) Vice-Chairman (A)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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><u>31.01.2020</u></p> <p><u>O.A 250/2019</u></p> <p>Shri G.G Kamble & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavare, learned advocate for the applicants and Smt K.S Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. As per reply filed by the Respondents, at page 44, para 16, following has been submitted:-</p> <p>“16. With reference to para 7.2, I say and submit that the contents of this para are denied by the Respondents in toto. As Enquiry Officer has submitted his final report in seal packet to the Government and asked not to open till the final decision of the criminal case which is pending against the applicants. Hence, necessary disciplinary action is still pending against the applicants.”</p> <p>3. Respondents are directed to open the Enquiry Officers report kept in sealed cover and take final decision as per rules and regulations within one month from the date of this order and communicate the decision to the applicants.</p> <p>4. With these directions, O.A stands disposed of. No order as to costs.</p> <p>5. Steno copy and Hamdast is granted. Learned P.O is directed to communicate this order to the Respondents.</p> <p>Sd/- (A.P Kurhekar) Member (J) Akn</p> <p>Sd/- (Shree Bhagawan) Vice-Chairman (A)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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><u>31.01.2020</u></p> <p style="text-align: center;"><u>O.A 99/2020</u></p> <p>Shri Bhausaheb G. Phatangare & Ors... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. Heard Shri Akhilesh Dubey a/w Uttam Dubey & Rajuram Kuleraj, i/b M/s Law Counsellors, learned advocate for the applicants and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents. Shri B.S Shinde, learned advocate has filed Caveat Application no. 4/2020 on behalf of Shri D.D Sawalkar, proposed Respondent.2. Learned counsel for the applicants is directed to make affected persons as party Respondents in this O.A.3. Issue notice returnable on 6.2.2020.4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.5. 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.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. Applicants are directed to file affidavit of compliance and notice.8. 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.9. S.O to 6.2.2020. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P Kurhekar) Member (J)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Shree Bhagawan) Vice-Chairman (A)</p> <p style="text-align: center;">Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 31.01.2020.</p> <p style="text-align: center;">O.A.No.828 of 2018</p> <p>D.J. AmbilwadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Applicant in person and Ms. S.P. Manchekar, learned C.P.O. for the Respondents. 2. The present O.A. is filed challenging the punishment order dated 20.08.2018, whereby the Applicant was compulsorily retired from services. 3. After filing the O.A., this Tribunal has granted interim relief on 26.10.2018 thereby staying the order of compulsory retirement. Consequently, the Applicant continued in service and stands retired on superannuation on 31.10.2018. 4. When the matter is taken up today for final hearing it is noticed that the Applicant has already filed an Appeal dated 19.07.2018 before the Hon'ble Governor and the same is still pending. 5. Applicant in person being asked by the Tribunal how he can pursue two remedies simultaneously, he submits that he wants to withdraw the appeal pending before the Hon'ble Governor and, therefore, want to continue this O.A. on merits. 6. At the request of Applicant two weeks time is granted to do needful. 7. Adjourned to 27.02.2020. <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (A.P. Kurhekar) Member(J)</p> </div> <div style="text-align: center;"> <p>Sd/- (Shree Bhagwan) Vice-Chairman</p> </div> </div> <p style="margin-top: 10px;">prk</p>