

**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 : 01.02.2021</p> <p>O.A.No.532 of 2020</p> <p>R. S. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.2. Heard partly.3. Interim relief to continue till next date.3. S.O. to 02.02.2021. <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

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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 : 01.02.2021</p> <p>O.A.No.534 of 2020</p> <p>Shri M. V. PatilApplicant</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. Archana B.K., learned Presenting Officer holding for Ms S. P.Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Interim relief granted by order dated 24.12.2020 to continue till next date.</p> <p>3. S.O. to 05.02.2021.</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 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 01.02.2021</p> <p align="center">O.A. No.518 of 2021</p> <p>A.V. BhiseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. Adjourned to 22.02.2021 for hearing at the stage of admission.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</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>M.A. No.36 of 2021 in O.A. No.60 of 2021</u>
	V.T. Surve & 4 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents
	Heard Ms. Vidya Kamble, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.
	Sd/- (P.N. Dixit) Vice-Chairman 1.2.2021
	Sd/- (Mridula R. Bhatkar, J.) Chairperson 1.2.2021
	(sgj)

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

Tribunal's orders

O.A. No.60 of 2021

V.T. Surve & 4 Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Vidya Kamble, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.

3. Issue notice before admission returnable on 15.3.2021.

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. Private service is allowed in view of this present COVID-19 Pandemic situation. 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.

Sd/-

(P.N. Dixit)
Vice-Chairman
1.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
1.2.2021

**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.325 of 2018 & O.A. No.13 of 2020</u>
	Shri Anil M. Jadhav Shri Ramkisan S. Pawar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents
	Heard Shri M.D. Lonkar, learned Advocate for the Applicant in OA.325/18 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	2. Ld. CPO moves a praecipe dated 1.2.2021 for speaking to minutes of the order dated 25.1.2021 passed in the above OAs.
	3. We direct the Ld. CPO to give notice to all the concerned advocates and also email to all the concerned parties.
	4. S.O. to 2.2.2021.
	<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(P.N. Dixit)</p> <p>Vice-Chairman</p> <p>1.2.2021</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula R. Bhatkar, J.)</p> <p>Chairperson</p> <p>1.2.2021</p> </div> </div>
	(sgj)

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

Tribunal's orders

It further mentions that the decision would be taken in terms of these statements (by the Health Department) expeditiously.

5. The prayers made by the applicants in the OA as well as MA are identical in nature and prays for direction to respondent no.1 for absorption and pay parity of the applicants.

6. In view of the affidavit filed by the respondents, we feel that the respondents should take consistent policy decision as per the affidavits and recommendations filed before the Tribunal.

7. It is informed that Recruitment Drive (Mega Bharti) is likely to take place shortly.

8. The applicants are at present not State Government employees and therefore it will not be proper for this Tribunal to address the issues raised in the prayers as per Section 15 of the Administrative Tribunals Act, 1985.

9. In view thereof the OA and MA as disposed off accordingly.

Sd/-

(P.N. Dixit)
Vice-Chairman
1.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
1.2.2021

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

Tribunal's orders

Date : 01.02.2021

O.A.No.23 of 2021 with O.A.No.24 of 2021

S. S. Mate

S. R. Tadavi

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri D. B. Khaire, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.3 and 4 as a joint reply in O.A.No.23 & 24/2021. No reply is filed on behalf of the Respondent Nos.1 and 2.
3. In this matter, interim relief was refused with the observations that the impugned order dated 07.01.2021 was interim measures of withdrawal of work in view of absence of the Applicant in office as noticed by the Director General, Dr. Bababasaheb Ambedkar Research and Training Institute, Pune who is Chief Coordinator for Caste Scrutiny Committee in terms of G.R. Dated 29.08.2012.
4. Respondent No.3 had submitted report to the Respondent No.1 and Respondent No.2 for necessary disciplinary action and for further appropriate order. However, till date no such steps are taken by Respondent Nos.1 and 2 in reference or in continuation of the impugned order dated 07.01.2021 whereby the work was withdrawn. In fact, the Respondent Nos.1 and 2 were expected to pass further appropriate order as it thinks fit as the order dated 07.01.2021 was only interim order.
5. Learned P.O. submits that two days time be granted for taking instructions from the Respondent Nos.1 and 2 and to file reply on their behalf.
6. Shri D. B. Khaire, learned Counsel for the Applicants strongly opposes for grant of further time to Respondent Nos.1 and 2.
7. The matter is adjourned to give short time to Respondent Nos.1 and 2 to make their stand clear.
8. S.O. to 03.02.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

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MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 01.02.2021

O.A.No.01 of 2021

P. G. Patil

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. On request of learned P.O., two weeks time is granted for filing Affidavit-in-Reply.
3. S.O. to 15.02.2021.

Sd/-

WV

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 01.02.2021

O.A.No. 554 of 2020

S. S. Kamble

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri S. D. Sarode, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed reply on behalf of the Respondent Nos. 1 to 3. It is taken on record. No reply is filed on behalf of the Respondent No.4.
3. On request of learned P.O., one week time is granted for filing Rejoinder.
4. S.O. to 08.02.2021.

Sd/-

**(A.P. Kurhekar)
Member(J)**

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2021</p> <p style="text-align: center;">R. A. No.03 of 2021 in O.A.No.792 of 2019</p> <p>Dr. D. B. BamaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 22.02.2021. 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 R.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, Review Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 22.02.2021. <p style="text-align: right;">Sd/- ψ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Date : 01.02.2021

R. A. No.15 of 2020 in O.A.No.1000 of 2019

G. M. Kamble

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent Nos.1 and 3 and Shri M. B. Kadam, learned Counsel for the Respondent No.2.

2. Today, Ms S. P. Manchekar, learned C.P.O. for Respondent Nos.1 and 3 as well as Shri M. B. Kaedam, learned Counsel for the Respondent No.2 have filed Affidavit-in-Reply to Review Application. It is taken on record.

3. The matter is adjourned for hearing on 16.02.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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	<p>Date : 01.02.2021</p> <p align="center">O.A.No.418 of 2017</p> <p>S. D. KharatApplicant</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 Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. Respondent No.4 is absent.</p> <p>2. Learned Counsel for the Applicant has taken the matter on board by way of Circulation.</p> <p>3. Perusal of record reveals that the Applicant is claiming deemed date of promotion for the post of Under Secretary. Presently, he is working as Deputy Secretary. He belongs to NT (C) category and seems to have been promoted on the basis of reservation.</p> <p>4. Learned Counsel for the Applicant fairly concedes that the issue of promotion on the basis of reservation which was struck down by the Hon'ble High Court is again subjudice before the Hon'ble Supreme Court. If this is the position, the Original Application cannot be heard and required to be adjourned.</p> <p>5. S.O. to 04.03.2021.</p> <p align="right">Sd/- W (A.P. Kurhekar) Member(J)</p>

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	<p><u>01.02.2021</u></p> <p style="text-align: center;"><u>O.A 63/2021</u></p> <p>R.G Lande ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant has filed present O.A stating that after the cancellation of his transfer order from one department to other, which was by order of this Tribunal dated 6.10.2020, all the powers and facilities of the applicant are withdrawn. Learned counsel further submits that applicant is not paid his salary from 11.8.2020 till today.</p> <p>3. Learned P.O is directed to make enquiry from the Respondents about payment of his salary.</p> <p>4. Issue notice returnable on 8.3.2021</p> <p>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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 8.3.2021.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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LATER ON :

Date : 01.02.2021

O.A.No.63 of 2021

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. The learned P.O. informs after instructions that the Applicant had joined his Department and he worked for only for 1 hour and went away and thereafter he did not attend his duty.
3. The learned Counsel Shri Bandiwadekar submits that he was not given at job. . The applicant is present in person. A pertinent question was asked to the learned Counsel as to, whether the applicant attended the duty? The answer is not given.
4. The learned P.O. to file affidavit-in-reply after taking instructions as per page 123 of the O.A.
5. Adjourned to 08.03.2021.

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>01.02.2021</u></p> <p style="text-align: center;"><u>O.A 802/2020</u></p> <p>P.S Pande ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant, Van Mazoor, working in Sanjay Gandhi National Park, prays for declaration that he is permanent on the post of Forest Labour (Van Mazoor), Group-D, Class-IV in pursuance to G.R dated 16.10.2012, wherein it is stated that Forest Labourers who have completed 5 years with 240 days in each year can be regularized.</p> <p>3. Issue notice returnable on 15.3.2021.</p> <p>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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 15.3.2021.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>01.02.2021</u></p> <p align="center"><u>O.A 782, 783, 784/2020</u></p> <p>Dr Pavankumar Shinde [O.A 782/2020] Dr Nilesh Wagh [O.A 783/2020] Dr Swati Patil [O.A 784/2020] Dr Savita B. Kalel [O.A 785/2020]... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> Shri J.S Deshmukh, learned advocate for the applicants. Heard Ms Swati Manchekar, learned C.P.O along with Ms Neelima Gohad, learned P.O for the Respondents. The applicants in these matters seek annual increment and leave benefits. Issue notice returnable on 8.3.2021. 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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 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. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice. S.O to 8.3.2021. <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>01.02.2021</u></p> <p style="text-align: center;"><u>O.A 57/2021</u></p> <p>H.R Devale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.R Ghanvat, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. The applicant seeks appointment on compassionate ground in place of his father who died on 10.7.2010. He has made application on 28.7.2010 and while it was pending, the Respondent by letter dated 17.9.2018 informed the applicant that his request cannot be considered now as Respondent no. 5, Mrs Rekha Amiet Devale-Bodhe, the step sister of the applicant has taken objection and also claimed her appointment on compassionate ground. Learned counsel submitted that the application of the applicant is kept pending. Learned counsel submits that his step mother is in Government employment and still working.</p> <p>3. Issue notice returnable on 4 weeks.</p> <p>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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 1.3.2021.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p><u>01.02.2021</u></p> <p style="text-align: center;"><u>O.A 41/2021</u></p> <p>E.B Sayyed ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicant, who has retired as a Junior Clerk, from the office of District Superintendent, Agriculture, challenges order dated 18.2.2020, rejecting request of the applicant for grant of pension on the ground that he has not completed 10 years qualifying service.</p> <p>3. The applicant retired on 30.4.2005 as a Junior Clerk. In his prayer, the cause of action to file this application is shown as his order of rejection dated 18.2.2020. It appears from the record, that the applicant gave notice to the Respondents on 14.9.2016. There is delay of nearly 15 years. The application for condonation of delay is not filed.</p> <p>4. Learned counsel Mr. Bandiwadekar relies on the judgment of the Hon'ble S.C on the point of continuous cause of action justifying the delay.</p> <p>5. S.O to 8.2.2021.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>01.02.2021</u></p> <p><u>O.A 40/2021</u></p> <p>S.K Patole ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Neelima Gohad , learned P.O for the Respondents.2. The applicant seeks appointment on compassionate ground by substitution and challenges the impugned report dated 26.7.20183. Issue notice returnable on 8.3.2021.4. 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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.7. S.O to 8.3.2021. <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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

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	<p><u>01.02.2021</u></p> <p align="center"><u>O.A 39/2021</u></p> <p>Smt M.M Jawadekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A BVandiwadekar, learned advocate for the applicants and Shri A.J Chogule, learned P.O for the Respondents.</p> <p>2. The applicant, Craft Instructor, prays for absorption in the post of Technical Superintendent [Stores] in the office at Pune under the administrative control of the Respondents.</p> <p>3. Issue notice returnable on 1.3.2021.</p> <p>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. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 1.3.2021.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>01.02.2021</u></p> <p align="center"><u>O.A 672/2020 with M.A 300/2020</u></p> <p>A.M Malve ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Shri Bhosle, learned advocate for the applicant today's files rejoinder along with judgments of Hon'ble Supreme Court in the case of Sushma Gosain Vs. Union of India (1989) 4 SCC 468, and Supriya S. Patil Vs. State of Maharashtra & Ors, reported in 2018 DGLS (SC) 560. Other than these two judgment of Supreme Court, other judgments of Bombay High Court so also of the Tribunal is filed. The same is taken on record. Learned counsel is asked to rely on the judgment of the Hon'ble Supreme Court and H.C, if any which is to the point and this Court will not consider other judgments which are repetition.</p> <p>3. Learned counsel for the applicant seeks to amend the O.A to the extent of address of Respondents no. 3 & 4. Amendment allowed.</p> <p>4. S.O to 8.2.2021.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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Date : 01.02.2021

O.A.No.622 of 2020 with O.A.No.623 of 2020

M.R. Ahire (O.A.622/2020)

M.P. Shinde (O.A.623/2020) ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned P.O. today files the affidavit-in-reply in both the Original Applications on behalf of Respondent No.2, Shri Maniksing P. Patil, Assistant Commissioner of Police. Mumbai. The same is taken on record. Copy is served to learned Advocate for the Applicant.

3. The learned Counsel submits that he wants to file affidavit-in-rejoinder.

4. S.O. to 08.03.2021.

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk

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Date : 01.02.2021

O.A.No.596 of 2020

D.B. Sawant ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant has challenged his suspension on the point that his suspension is due to prosecution under Prevention of Corruption Act 1988, and therefore in his suspension order the Respondents have referred to Rule 4(1)(c) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. In view of this Rule, it is contented that the charge-sheet in the Criminal Case if not filed within 90 days then, the applicant is to be reinstated.
3. It is further contented by the learned Counsel for the Applicant that in the review the suspension can be continued with reasons that in case of filing of the charge-sheet in Prevention of Corruption cases under Section 173 of Code of Criminal Procedure 1973. Thus it is further submitted that filing of charge-sheet on 23.10.2020 in Departmental Enquiry (D.E.) and serving it cannot be substituted by the requirement of the charge-sheet in the Criminal Case under the ratio of laid by Hon'ble Supreme Court in ***Ajay Kumar Choudhary Versus Union of India (2015) 7 SCC 291.***
4. The learned Counsel points out that there is a separate provision under 4(1)(a) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 for suspension in anticipation of pending D.E.
5. Admitted and fixed for final hearing on 01.03.2021. In between the Respondents may take the second review. High On Board.

Sd/-

**(Mridula Bhatkar J.)
Chairperson**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 01.02.2021

O.A.No.408 of 2020

N.K. More ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The learned P.O. submits that affidavit-in-reply will be filed during the course of the day.

3. Copy of the same be serve to learned Counsel for the Applicant.

4. Adjourned to 01.03.2021.

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 01.02.2021

O.A.No.744 of 2020

B.M. Gade ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned Counsel Shri Bandiwadekar submits that after 07.02.2020 Respondents have taken certain steps and there are certain developments. He, therefore needs permission to place them on record.

3. Permission granted. Adjourned to 08.03.2021.

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	<p>Date : 01.02.2021</p> <p style="text-align: center;">O.A.No.552 of 2020</p> <p>A.D. Mehetre ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. While filing affidavit-in-reply, Respondents No.1 to 3 are directed to consider paragraph 6 of order dated 15.10.2020 without fail passed by this Tribunal.</p> <p>3. Adjourned to 01.03.2021.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

Date : 01.02.2021

O.A.No.319 of 2020

P.A. More ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Pursuant to order dated 28.08.2020, and also order dated 25.01.2021, the learned P.O. submits that the applicant has not cleared the requirement of passing Marathi typing examination when he was appointed on compassionate ground in Group C. However, he can be demoted to Group D for non-compliance of this requirement. He relies on Clause no.14 of Government Resolution (G.R.) dated 21.09.2017, wherein G.R. dated 08.09.1987 is referred to at Serial No.7.

3. In view of this statement of the learned P.O. which is made on the instructions the respondents are hereby directed to take necessary steps in respect of his demotion to Group D. He is to be appointed on Group D by giving him top priority as and when the post is available.

4. O.A. is disposed off accordingly.

Sd/-

**(Mridula Bhatkar J.)
Chairperson**

prk