

**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: 01.02.2023</p> <p align="center">O.A. No.220 of 2022</p> <p>S.G. KadamApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing learned Advocate for the Applicant has pointed out that in present case issue pertains to interpretation of Rule 27(6)(b) of M.C.S. (Pension) Rules, 1982 which is as under:-</p> <p>(6) (b) judicial proceeding shall be deemed to be instituted-</p> <p>(i) in the case of criminal proceedings, on the date on which the complaint or report of a police officer of which the Magistrate takes cognisance is made, and</p> <p>(ii) in the case of civil proceedings, on the date of presenting the plaint in the Court.</p> <p>3. In present case though there was filing of chargesheet in criminal case before the retirement of the Applicant, the charges were not framed by the Court till the date of retirement of the Applicant and on that ground learned Advocate for the Applicant submits that there is no institution of judicial proceeding on the date of retirement.</p> <p align="right">[P.T.O.]</p>

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

4. Whereas, as per Rule 27(6)(b) judicial proceeding shall deemed to be instituted on the date of compliant or chargesheet on which Magistrate takes cognisance is made. According to the learned Advocate for the Applicant the Judgment of the Tribunal on this point are conflicting. As per one view filing of chargesheet amount to institution of judicial proceeding. Whereas, second view of criminal proceeding deemed to be instituted only on the date of framing charges. Learned Advocate for the Applicant therefore submits that since there are conflicting Judgment of co-ordinate Benches it is necessary to wait till the decision of Division Bench in the O.A. filed by one Shri Khairnar on the same point.

5. In view of above, hearing of O.A. will be taken after decision of Division Bench as a matter of judicial propriety.

6. S.O. to 01.03.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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Original Application No. _____ of 20____.

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	<p style="text-align: center;"><u>01.02.2023</u></p> <p style="text-align: center;"><u>O.A 1078/2016 (O.A 443/2014-Nagpur)</u></p> <p>Shri R.D Wardhane & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale with Shri A.Y Sakhare, learned Spl Counsel advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents, Shri B.A Bandiwadekar, learned counsel for Respondents no 2 & 3 and Shri M. Deshmkh, learned counsel for Respondents no 14 & 15.</p> <p>2. O.A 1078/2016 is de-tagged from the group of matters O.A 912/2015 & O.A 53/2015.</p> <p>3. S.O to 1.3.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha' Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>01.02.2023</u></p> <p><u>C.A 46/2022 in O.A 72/2022 with C.A 47/2022 in O.A 73/2022 with C.A 71/2022 in O.A 1095/2016.</u></p> <p>Shri V.H. Patil Shri R.H Patil ... Applicant</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Archana. B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O submits copy of letter dated 30.1.2023 wherein decision has been taken by the Government on the order of this Tribunal dated 1.3.2022 in O.A 72/2022 & 73/2022.</p> <p>3. In view of the letter dated 30.1.2023 filed by the Respondent-State, Respondents no 1 to 4, i.e., Shri B. Venugopal Reddy, Principal Secretary, Revenue & Forest Dept, Mantralaya, Mumbai, Shri Y.L.P Rao, Principal Chief Conservator of Forest, Nagpur, Shri R.N. Ramanujan, Chief Conservator of Forest, Kolhapur and Shri M.N Mohite, holding additional charge of Deputy Conservator of Forest, Kolhapur, are required to file affidavit in reply in C.A 72/2022 & 73/2022.</p> <p>4. S.O to 1.3.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p>C.A.No.64/2022 in O.A.No.608/2019</p> <p>Dr. M.V. PandeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. V.K. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the Department has removed objections and has sent file to Finance Department.</p> <p>3. Adjourned to 06.02.2023 for reporting further compliance.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member(A)</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</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 : 01.02.2023
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C.A.No.10/2023 in O.A.No.367/2022

P.B. UmraniApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Applicant in person and Ms. K.S. Gaikwad, learned Presenting Officer holding for Mr. A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned P.O. submits that decision in favour of the Applicant is taken at the Government level on 10.01.2023 and file is sent to the Accountant General Office and the objections raised by the Accountant General office on 10.01.2023 is regarding 1st Time Bound Promotion and 2nd Time Bound Promotion. Considering 1st TBP and 2nd TBP pay fixation is required to be done in the case of the Applicant. Department requires some time to remove this objection.

3. Adjourned to 15.02.2023.

Sd/-
(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

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(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
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Date : 01.02.2023

**O.A.No.568/2022 with O.A.No.344/2022 with
O.A.No.327/2022 with O.A.No.1259/2022**

K.N. Dombale & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. At the request of learned Advocate Mr. Chandratre, matter is taken up from 'Board of Unready Matter Before the Registrar'

3. Learned Advocate Mr. Chandratre submits that the objections raised in the O.A. are for illegible pages. He prays that the O.A. be placed on regular board as he will not rely on those papers which are under objections for being illegible.

4. In view of above, O.A. be taken up on board on 15.02.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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Date : 01.02.2023

O.A.No.22/2023

M.P. BagulApplicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. submits that today during the course of the day she will file reply. It be taken on record. Copy is served upon learned Advocate.

3. Ms. Kanchan T. Pawar, learned Advocate files vakalatnama on behalf of Respondent No.3.

4. Perused short affidavit-in-reply dated 01.02.2023 filed on behalf of Respondent No.2 by Mr. Rahul R. Pawar, Deputy Director office of Director, Directorate of Forensic Science Laboratories, Mumbai. Noting of the Higher Technical Education dated 16.01.2023 is placed on record.

5. We have perused the remarks. It states that there is equivalence in B.Sc. Computer Science (degree) and Master in Computer Application (post graduate degree) in Computer Science. However, decision of equivalence is taken by the Government.

6. Adjourned to 08.02.2023. Interim stay is to be continued till next date.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson


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	<p>Date: 01.02.2023</p> <p align="center">O.A. No.07 of 2023 along with Connected O.As</p> <p>S.R. Dukale & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere & Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Reply on behalf of Respondents.</p> <p>3. S.O. to 15.02.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="left">NMN</p>

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	<p>Date: 01.02.2023</p> <p align="center">O.A. No.621 of 2022 with O.A. No.622 of 2022</p> <p>M.S. Salunke S.D. JagdaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought permission to file Affidavit-in-Rejoinder. Indeed it ought to have been filed immediately after filing of Affidavit-in-Reply by the Respondents. The practice of filing Rejoinder belatedly should be stopped.</p> <p>3. In the interest of justice, the Applicant is allowed to file Rejoinder.</p> <p>4. Learned P.O. want time to see necessity of filing Rejoinder. Allowed to file Rejoinder within a week if desire with copy to other side so that matter is not adjourned on next date.</p> <p>5. O.A. be kept for hearing with liberty to Respondents to file Sur-Rejoinder in the mean time as directed above.</p> <p>6. S.O. to 17.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[PTO.]</p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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
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	<p>Date : 01.02.2023</p> <p align="center">M. A. No.764 of 2022 in O.A.No.829 of 2021</p> <p>S. S. KuwarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri P. D. Gaikwad, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for restoration of O.A. which is dismissed in default on 30.11.2022. M.A. is within limitation. However, perusal of record reveals that earlier also the O.A. was dismissed in default on 04.03.2022 and again restored.</p> <p>3. However, in the interest of justice, the M.A. for restoration is allowed, subject to cost of Rs.1000/- payable within a week, as a condition precedent.</p> <p>4. If the cost is not deposited within a week, O.A. stands dismissed without reference to Tribunal.</p> <p align="right"> \ Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p style="text-align: center;">O.A.No.128 of 2023</p> <p>D. D. KawadeApplicant Versus 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. Archana B. K., learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 31.03.2022 whereby he is suspended by way of deemed suspension from the date of arrest invoking Rule 4(2)(a) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. The suspension is challenged on the ground of prolong suspension. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 01.03.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may 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. By Hand delivery, speed post, courier notice to be served 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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 01.03.2023. <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p>

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	<p>Date : 01.02.2023</p> <p align="center">O.A.No.853 of 2022</p> <p>P.S. Ujgare ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale holding for Shri V. P.Potbhare, learned Counsel for the Applicant and Smt. S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant sought short adjournment on the ground that the matter is being handled by Shri V.P. Potbhare but due to some personal difficulty he is unable to remain present.</p> <p>3. O.A. be kept for final hearing. It is already proceeded without reply.</p> <p>4. S.O. to 17.02.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 01.02.2023</p> <p align="center">O.A.No.506 of 2020</p> <p>A. P. GosaviApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. S. P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</p> <p>2. This matter was before the Division Bench and transferred to Single Bench recently. Today, for the first time, it is listed before me for hearing.</p> <p>3. In the interest of justice, the matter is adjourned to give opportunity to the Applicant else O.A. would be dismissed on next date.</p> <p>4. S.O. to 17.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 01.02.2023</p> <p align="center">O.A.No.1294 of 2022</p> <p>S. B. VadarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant has challenged the order communication dated 13.10.2021 issued by the Respondent - District Collector, Sangli informing him that the decision about the suspension period will be taken only after the decision of Criminal Appeal No.1406/2004 filed against his acquittal.</p> <p>2. While the Applicant was serving as Clerk in Tahsil office, Jath, Dist. Miraj, he came to be suspended by order dated 30.04.2001 in view of registration of offence under the provisions of Prevention of Corruption Act, 1988 . Later the Applicant was prosecuted in Special Case No.3/2001 under the provisions of Prevention of Corruption Act and acquitted on 31.08.2004. In view of acquittal, the Applicant came to be reinstated quite belatedly by order dated 05.02.2009 subject to final decision of criminal appeal. Being aggrieved by the judgment of acquittal, the State Government filed the Criminal Appeal No.1406/2004 before the Hon'ble High Court. After reinstatement, the Applicant made representation to regularize his suspension period from 30.04.2001 to 05.02.2009. On his representation, by impugned order, he was informed that the decision about pay and allowances of suspension period will be taken only after the decision of Criminal Appeal which is subjudice.</p> <p>3. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>4. Notably, the department had initiated the D.E. for the same charges of corruption but dropped the D.E. in view of acquittal of the Applicant of criminal case by order dated 19.04.2012.</p> <p>5. Indeed, Rule 72 of Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981 (hereinafter referred to as 'Rules 1981) provides detailed procedure on orders to be</p>

P.T.O.

passed on reinstatement of a Government servants after revoking suspension. As per Rule 72(2) where a Government servant under suspension dies before the disciplinary or Court proceeding instituted against him are concluded, the period between the date of suspension and the date of death shall be treated as duty period for all purposes and his family shall be paid full pay and allowances for that period of suspension. Whereas as per Rule 72(3) where the authority competent to order reinstatement is of the opinion that suspension was wholly unjustified, the Government servant shall, subject to the provisions of sub-rule(8), be paid full pay and allowances to which he would have been entitled, had he not been suspended.

6. Thus, the competent authority has to ^{form} ~~take~~ opinion as to whether suspension wholly unjustified or otherwise. In present case, instead of taking any such decision, the Applicant was informed that decision will be taken only after final decision in Criminal Appeal which is apparently incorrect.

7. Rule 72(5) of 'Rules 1981' further provides that in cases other than those falling under sub-rules (2) and (3), the Government servant shall, subject to provisions of sub-rules (8) and (9), be paid such amount of pay and allowances to which he would have been entitled, had he not been suspended, as the competent authority may determine, after giving notices to the Government servants of the quantum propose and after considering the representation, if any submitted by him.

8. As such, the competent authority is required to follow the procedure laid down in Rule 72 and matter cannot be kept in abeyance till the decision of Criminal Appeal. The decision has to be taken independently on the basis of material available on record.

9. In view of above, the impugned order dated 13.10.2021 is unsustainable in law and liable to be quashed. The matter is required to be remitted back to Collector to take the decision in accordance to Rule 72 of 'Rules 1981'. Hence the following order :-

ORDER

- (A) O.A. is allowed partly.
 (B) The matter is remitted back to the Respondent- The District Collector, Sangli with direction to take the decision afresh in accordance to Rule 72 of 'Rules 1981' within three months from today. It be communicated to the Applicant.
 (C) No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

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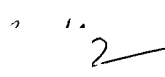
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	<p>Date : 01.02.2023</p> <p align="center">C.A.No.67/2022 in O.A.No.76/2022</p> <p>B.K. NaraleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Y.B. Lengare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that the order passed in O.A. is challenged before the Hon'ble High Court and the said Writ Petition is still pending</p> <p>3. Learned Advocate submits that the applicant has made statement stating that he will not press for interim relief.</p> <p>4. Adjourned 01.03.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p align="left">prk</p>

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	<p>Date : 01.02.2023</p> <p align="center">C.A.No.64/2022 in O.A.No.608/2019</p> <p>Dr. M.V. PandeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. V.K. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad. learned Presenting Officer for the Respondents.</p> <p>2. Applicant retired on 31.07.2021. O.A. was decided in the year 2021. Considering the age of the Applicant, last chance granted to learned P.O. to file reply.</p> <p>3. Adjourned to 06.02.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p align="center">C.A.No.16/2022 in O.A.No.223/2020</p> <p>D.N. Kamble & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Ms. Archana B.K. learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate is directed to give details regarding the pensionary dues which the applicant has received and also the dues which are pending.</p> <p>3. Adjourned to 15.02.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>01.02.2023</u></p> <p align="center"><u>M.A 68/2023 in O.A 1148/2016</u></p> <p>Shri Vidyadhar K. Gandhile ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The present Misc Application is filed to expedite hearing of the Original Application No. 1148/2016. The said Original Application is already fixed on 10.2.2023.</p> <p>3. We will be clearing the pendency of the cases of the year 2015 by the end of February, 2023 and the present O.A will be taken up for hearing thereafter.</p> <p>4. In view of the above, M.A is disposed of and O.A is placed for hearing on 1.3.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</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 align="center"><u>01.02.2023</u></p> <p align="center"><u>M.A 571/2022 in O.A 755/2022</u></p> <p>Shri S.S Kakade ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks permission to withdraw the Misc Application 571/2022.</p> <p>3. Allowed to be withdrawn and disposed of accordingly.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) 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>01.02.2023</u></p> <p><u>R.A 16/2022 in O.A 859/2021</u></p> <p>Shri N.G Kabadi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that reply will be filed today.</p> <p>3. Place for final hearing on 1.3.2023.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p align="center">C.A.No.42/2021 in O.A.No.678/2020 with O.A.No.679/2020 with O.A.No.680/2020</p> <p>S.S. MujawarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K. learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the order passed in O.A. is challenged before the Hon'ble High Court and the same is pending.</p> <p>3. In view of above, adjourned to 22.02.2023.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p align="left">pk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p align="center">C.A.No.30/2021 in O.A.No.970/2014</p> <p>V.D. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Time granted to learned C.P.O. to find out the details of the Sree Chitra Tirunal Institute for Medical Sciences & Technology, Trivandrum.</p> <p>3. Adjourned to 08.02.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p align="center">O.A.No.114/2023</p> <p>K.D. TatalaApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate prays for decision to be taken on Revision Application dated 08.11.2016 pending before the Respondent, Principal Secretary, Revenue and Forest Department.</p> <p>3. Learned P.O. submits on instructions that no revision application is filed by the applicant, however, it is only request letter/ representation.</p> <p>4. We direct that the said request letter/ representation is to be decided by the concerned authority within two months from today. Thereafter, decision as may be, is to be communicated to the Applicant within one week.</p> <p>5. In view of above, O.A. stands disposed of.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p align="left">prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p>O.A.No.121/2023</p> <p>Dr. P.N. KambleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 15.02.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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. By Hand delivery, speed post, courier notice to be served 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.</p> <p>7. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 15.02.2023. If any Selections are made, the same shall be subject to outcome of this O.A.</p> <p style="text-align: center;">Sd/- (Medha/Gadgil) Member(A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p align="center">O.A.No.24/2023 with M.A.No.65/2023</p> <p>C.B. KhatkeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Chintamani Bhangoji, learned Advocate holding for Mr. R.K. Mendadkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A. is filed seeking condonation of delay in filing O.A.</p> <p>3. Learned Advocate seeks time to amend prayer in M.A.</p> <p>4. Time granted to carry on amendment. Amended copy be served upon the concerned forwith.</p> <p>5. Adjourned to 08.02.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</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 : 01.02.2023
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O.A.No.1/2023 with M.A.No.49/2023

K.C. Jadhavar & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

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

2. Learned C.P.O. submits that today during the course of the day she will file reply. It be taken on record. Copy is served upon learned Advocate.

3. Learned Advocate Ms. Deokar seeks time.

4. Adjourned to 07.02.2023. M.A. for intervention will be taken up for hearing on the point of locus.

Sd/-
(Medha Gadgil)
Member(A)

prk

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**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 : 01.02.2023</p> <p align="center">O.A.No.11/2021</p> <p>A.A. JagtapApplicant Vs. The State of Maharashtra & Ors. Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed. Adjourned to 15.02.2023 for rejoinder.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>pk</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
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Date : 01.02.2023

O.A.No.1176/2022 with M.A.No.680/2022

N.S. TikheApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Amey Deshpande, learned Advocate holding for Mr. V. Bait, learned Advocate for the Applicant, Mr. Akshay Deshmukh, learned Advocate for Respondents No.37 to 39, 41 to 49 & 51 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Advocate Mr. Deshpande submits that he does not possess the addresses of Respondents No.4, 19, 47, 48, 60, 61, 66, 79 and 82 and emails have be bounced of Respondents No.14, 33, 43, 69 and 73. He seeks time for the same.

3. Adjourned to 01.03.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 01.02.2023
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O.A.No.1155/2022

B.D. Modak & OrsApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

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

2. At the request of learned C.P.O. adjourned 03.02.2023 for filing reply.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 01.02.2023
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M.A.No.662/2022 in O.A.No.1155/2022

B.D. Modak & OrsApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

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

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. is allowed.

Sd/-
(Medha Gadgil)
Member(A)

prk

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 01.02.2023

O.A.No.893/2022

N.S. Khandare & Ors.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Last chance granted to learned P.O. to file reply.

3. Adjourned to 01.03.2023.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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 : 01.02.2023
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O.A.No.676/2022

C.S. GaikwadApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned Advocate submits that the appeal has already been decided by the Hon'ble Governor on 24.11.2022 and the same has been communicated to the Applicant.

3. In view that nothing remains, O.A. stands disposed of.

Sd/-
(Medha Gadgil)
Member(A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**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 : 01.02.2023
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O.A.No.653/2022

G.P. BagadeApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Reply is already filed. Adjourned to 22.02.2023 for rejoinder.

Sd/-

(¹⁷Medha Gadgil)
Member(A)

prk

Sd/- 

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 align="center">Date : 01.02.2023</p> <p align="center">O.A.No.25/2022</p> <p>V.G. MekaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed. Admit. Adjourned to 15.03.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p align="center">O.A.No.1057/2021</p> <p>R.A. BhaijanApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that today during the course of the day she will file reply. It be taken on record. Copy is served upon learned Advocate.</p> <p>3. Adjourned to 15.02.2023, for rejoinder.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 01.02.2023</p> <p align="center">O.A.No.1309/2022</p> <p>M.R. LasurkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Vinod Killor, learned Advocate holding for Mr. A.A. Palsamkar, learned Advocate the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits pursis stating that the Appeal which was before Joint Director (Sports) has been partially allowed. He produces copy of decision of Joint Director dated 20.01.2023.</p> <p>3. As the grievance is redressed he seeks to withdraw the O.A.</p> <p>4. O.A. stands disposed of as withdrawn. The concerned grievance is redressed however all other issues are kept open.</p> <p align="right">Sd/- _____</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 01.02.2023</p> <p align="center">O.A.No.234/2018</p> <p>P.R. Wagh & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Pakale, learned Advocate with Ms. R. Todankar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that facts in the O.A. is covered by the judgment dated 23.12.2022 passed in O.A.No.739/2021 by M.A.T. Bench Aurangabad as well as by the judgment of Hon'ble High Court dated 06.10.2022 in Writ Petition No.12009/2021, Sonali Sanjay Patil & Ors. Versus State of Maharashtra & Ors.</p> <p>3. Learned C.P.O. to verify the same.</p> <p>4. Adjourned to 15.02.2023. H.O.B.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p>O.A.No.457/2022 with M.A.No.20/2023</p> <p>X.Y.Z.Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer holding for Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks three weeks to carry out amendment.</p> <p>3. Amendment be carried out forthwith and amended copy be served upon learned P.O.</p> <p>4. Adjourned to 22.02.2023.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.02.2023</p> <p align="center">O.A.No.110, 111 & 112 of 2023</p> <p>P. F. Rathod S. C. Bhilare M. A. Sonawane</p> <p align="right">....Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri K. B. Jadhav, learned Counsel for the Applicants has sent leave note. Smt. Archana B. K. & Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. In view of leave note of learned Counsel, the matter is adjourned for admission hearing.</p> <p>3. S.O. to 10.02.2023.</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____

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 : 01.02.2023</p> <p align="center">O.A.No.1056 of 2022</p> <p>T. S. MullaniApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., one week time is granted for filing reply.</p> <p>3. S.O. to 08.02.2023.</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

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 : 01.02.2023</p> <p align="center">O.A.No.1065 of 2022</p> <p>N. R. DodakeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam holding for Shri R. M. Kolge , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder, if any.</p> <p>4. S.O. to 17.02.2023.</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____

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 : 01.02.2023</p> <p align="center">O.A.No.116 of 2023</p> <p>T. R. Kamble & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the department is taking some remedial measures in view of the decision rendered by the Tribunal earlier and sought one week time to file short affidavit.</p> <p>3. S.O. to 08.02.2023.</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

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 data-bbox="784 775 1013 808">Date : 01.02.2023</p> <p data-bbox="1040 832 1294 865">O.A.No.122 of 2023</p> <p data-bbox="792 896 1443 935">C. S. SangamathApplicant</p> <p data-bbox="784 981 870 1014">Versus</p> <p data-bbox="784 1051 1468 1089">The State of Maharashtra & Ors. ...Respondents.</p> <p data-bbox="792 1125 1560 1246">1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p data-bbox="792 1282 1560 1427">2. The Applicant has challenged the communication dated 17.11.2022 whereby the Respondent No.1 declared Applicant unfit for service and retired him on medical ground.</p> <p data-bbox="792 1463 1560 1710">3. Learned Counsel for the Applicant submits that in view of the physical disability of hemiparesis during service, the Applicant is entitled to protection as per Section 20 of the Disability Act, 2016 and ought to have been continued in service till his retirement on supernumerary post.</p> <p data-bbox="792 1746 1560 1993">4. <i>Prima-facie</i>, the course of action adopted by the Respondents is in contravention of Section 20 of the Disability Act, 2016 as well as the decision of the Hon'ble Supreme Court in <i>Kunal Singh V/s Union of India 2003 SCC (L & S) 482</i>.</p> <p data-bbox="792 2029 1560 2102">5. Learned P.O. sought time to take instructions and to file Affidavit in Reply.</p> <p data-bbox="792 2138 1560 2210">6. Two weeks time is granted to take necessary steps in accordance to law.</p> <p data-bbox="792 2246 1560 2308">7. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p data-bbox="1425 2377 1490 2411">[PTO.]</p>

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

Tribunal's orders

8. Issue notice before admission returnable on 15.02.2023.

9. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

10. 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.

11. By Hand delivery, speed post, courier notice to be served 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.

12. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.

13. S.O. to 15.02.2023.

14. There should not be eviction of the Applicant from the service quarter until further orders.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm