

**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: 01.02.2024</p> <p>O.A. No.1538 of 2023</p> <p>S.S. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for states that due to non-filing of 'Affidavit-in-Reply' by 'Transport Commissioner, Mumbai' relating to the use of 'Computerized Transfer System' for 'General Transfer: 2023' of 'Assistant Inspector of Motor Vehicles'; there is now need for clarity about how the exercise relating 'General Transfer 2024' of 'Assistant Inspectors of Motor Vehicle' would be undertaken by 'Transport Commissioner, Maharashtra State Mumbai'</p> <p>3. Learned PO states that against the backdrop of directions given on 14.12.2023, comprehensive 'Affidavit-in-Reply' will be soon filed by the 'Transport Commissioner, Mumbai' about use of 'Computerized Transfer System' for 'General Transfer: 2023'. However in the meanwhile 'Transport Commissioner, Maharashtra State Mumbai' has informed that exercise about 'General Transfer: 2024' has commenced as per the guidelines in GAD GR dated 09.04.2018 regarding transfer of 'Assistant Inspector of Motor Vehicle' and it is likely to be completed by April/May 2024.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned PO is thus informed to expedite filing of 'Affidavit-in -Reply' on behalf of 'Transport Commissioner Maharashtra State Mumbai' for clarity about observations made in Order dated 14.12.2023 with regard to use of 'Computerized Transfer System' for 'General Transfer: 2023' of 'Assistant Inspectors of Motor Vehicle'.</p> <p>5. Learned PO then seeks 'Two Weeks' time by way of last chance to file comprehensive 'Affidavit-in-Reply' on behalf of 'Transport Commissioner Maharashtra State Mumbai'. Time as prayed for is granted to learned PO.</p> <p>6. S.O. to 15.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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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>Date: 01.02.2024</p> <p>O.A. No.730 of 2023</p> <p>Dr. R.M. Gangurde,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P. Bodke-Patil, learned Advocate for Applicant present through 'Video Conference'. Smt K.S. Gaikwad, learned Presenting Officer for Respondents and Shri Deepak Jain, learned Advocate holding for Shri D.V. Sutar, learned Advocate for Respondent No.6.</p> <p>2. Learned Advocate for Applicant states that Applicant had been granted 'Interim Relief' on 27.06.2023 and she was permitted to work as 'Medical Officer', in 'Health Sub Centre, Girname, Nandgaonsado, Taluka - Igatpuri, District Nashik' but subsequently Applicant came to be relieved on 04.09.2023.</p> <p>3. Learned Advocate for Applicant states that after she was relieved on 04.09.2023, the Applicant has not joined at new place of posting as 'Medical Officer' in 'Public Health Centre, Varkhede, Tahsil Dindori, District Nashik' due to compelling 'Personal Reasons'.</p> <p>4. Learned Advocate for Applicant again stressed that considering selfless service, almost 28 years in 'Tribal and Remote Areas' of Tahsil Igatpuri District Nashik, rendered by Applicant her request to be posted as 'Medical Officer' at 'Public Health Centre, Kananwadi,</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Tahsil Igatpuri, District Nashik' should be considered by 'Commissioner of Health Service, Mumbai'.</p> <p>5. Learned PO on instructions states the 'Director Health Service' in the office of 'Commissioner Health Services, Mumbai' has submitted proposal in this regard on 21.02.2024 to 'Public Health Department' and thus it can expected that after 'CSB' meeting appropriate decision will be taken by 'Competent Transferring Authority' and next 'Superior Transferring Authority.</p> <p>6. Learned PO according's seeks time of 'Two Weeks' on behalf of 'Public Health Department'.</p> <p>7. S.O. to 15.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 01.02.2024

O.A. No.1407 of 2023

Dr. L.G. Bhalshankar,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard A.v. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Advocate for Applicant states that even after being given time of 3 Weeks' the 'Affidavit-in-Reply' has not been filed behalf of the Respondent.
3. Learned Advocate for Applicant states that although Applicant has been, permitted to join back on post of 'Medical Officer, Primary Health Centre, Talegaon, Tahsil Dindori, District Nashik' from 10.01.2024 her request to be continued on this post for atleast 'One Year' is still pending consideration of the 'Public Health Department'.
4. Learned Advocate for Applicant reiterates that per 'Para 5' and 'Para 6' of Order dated 02.11.2023 ^{as} the case of Applicant being deserving should be considered at the earliest by 'Public Health Department'.
5. Learned PO states that she requires further time of 'Two Weeks' to file 'Affidavit-in-Reply' to clarify the about course of action which is expected to be taken by 'Public Health Department' as per contents of 'Para 5 and Para 6' of Order dated 02.11.2023; especially in consideration of the fact that Applicant has served commendably for more than 25 year in 'Tribal and Remote Areas'.
6. 'Interim Relief' to continue till 'Next Date'.
7. S.O. to 15.02.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="790 324 1016 355">Date: 01.02.2024</p> <p data-bbox="1019 427 1286 458">O.A. No.596 of 2023</p> <p data-bbox="790 504 1516 618"> A.S. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents. </p> <ol style="list-style-type: none"> <li data-bbox="790 700 1516 814">1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. <li data-bbox="790 875 1516 1092">2. Learned Advocate for Applicant states that even after directions was given that appropriate decision be taken early with regard to revocation of 'Suspension' Order dated 12.09.2023 of Applicant; no update has yet been received from 'Revenue & Forest Department'. <li data-bbox="790 1143 1516 1308">3. Learned P.O. states that 'Competent Authority' is yet to arrive at an appropriate decision with regard to revocation of 'Suspension Order' dated 12.09.2023 of Applicant. <li data-bbox="790 1370 1516 1937">4. Learned P.O. thereafter also suggested that as substantial time has already been granted to the 'Revenue & Forest Department' for appropriate decision to be taken by 'Competent Authority' it may be advisable to direct concerned 'Joint Secretary' / 'Deputy Secretary' of 'Revenue & Forest Department' to personally remain present to give information about the status of the proposal regarding revocation of 'Suspension Order' dated 12.09.2023 of the Applicant. Also to seek information as about whether there is any consideration being given about the observations that Applicant thereupon be transferred to 'Vacant Post' of 'Resident Deputy Collector (RDC) Dharashiv District' <li data-bbox="790 1988 1107 2019">5. S.O. to 13.02.2024. <p data-bbox="1143 2091 1474 2225" style="text-align: right;"> Sd/- (Debashish Chakrabarty) Member (A) </p> <p data-bbox="760 2297 808 2323">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 01.02.2024</p> <p align="center">O. A. No.323 of 2023</p> <p>B. N. DholeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Smt. B. Mangale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned P.O. for the Respondents.</p> <p>2. Learned P.O. submits that out of two Departmental Enquires, one DE is completed and in 2nd DE, the Enquiry Officer is appointed on 05.01.2024.</p> <p>3. In view of the statement made by learned P.O., we direct the Enquiry Officer to complete the DE within two months from today by 30.03.2024.</p> <p>4. The matter is adjourned to 05.03.²⁰²⁴2024 to record the progress in DE.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p align="center"><i>vsm</i></p>

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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: 01.02.2024</p> <p>O.A. No.1577 of 2023</p> <p>A.L. Dure,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Ankita Doke, learned Advocate, holding for Shri Talekar & Asso. for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO states that copy of Order dated 11.01.2024 was received belatedly on 30.01.2024. So with respect to direction given in 'Para 19', she seeks time of 'Three weeks' to file Additional 'Affidavit-in-Reply' on behalf of 'Principal Secretary Urban Development Department.' Time of 'Three Weeks' granted to learned PO.</p> <p>4. S.O. to 22.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.02.2024</p> <p>O.A. No.1062 of 2023</p> <p>S.B.Koli,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for Applicant and Smt. Kranti Gaikwad learned presenting Officer Holding for Shri A.J. Chougule, learned Presenting Officer for Respondents.</p> <p>3. Learned PO states that 'DGP, Maharashtra State' has now taken appropriate decision in respect of direction given on 21.12.2023 taking into consideration the judgment of the Hon'ble High Court Bench at Nagpur in Writ Petition No. 920 of 2020 dated 07.10.2023.</p> <p>4. Learned PO further states that as per directions given on 21.12.2023 the 'DGP Maharashtra State' has taken decision about cancellation of promotion of Applicant to post of 'PSI' primarily on the ground that Applicant was initially appointed in 'ST-Category'; but subsequently has continued to be in service in 'SBC-Category' following invalidation of his 'ST-Caste Certificate'.</p> <p>5. Learned PO accordingly informed file ^{is} Affidavit-in-Reply of behalf of 'DGP, Maharashtra State' in 'Two Weeks'.</p> <p>6. S.O. to 21.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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: 01.02.2024</p> <p align="center">O.A. No.113 of 2024</p> <p>R.H. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant states that Applicant has been transferred on 29.01.2024 from post of 'Sub-Inspector State Excise' in M/s. Winspri Enterprises, Mumbai Suburb District' to M/s. Mazda & Co. FL-1, Saravli, Palghar District' by the 'Commissioner of State Excise, Maharashtra State, Mumbai'.</p> <p>3. Learned Advocate for Applicant further states that 'Transfer Order' dated 29.01.2024 issued by 'Commissioner of State Excise, Maharashtra State, Mumbai' is in context of the directions in 'Election Commission of India letter dated 21.12.2023' with respect to the 'General Election of Lok Sabha 2024'.</p> <p>4. Learned Advocate for Applicant then draws attention to the fact that these directions relate to 'Transfer of Officers' who are serving in their 'Home District' or have completed tenure of 'Three Years' of in last 'Four Years' in same 'Revenue District' as applicable to all 'Prohibition and Excise Officers', under 'Para 5.4' of 'Election Commission of India' letter dated 21.12.2023.</p> <p>5. Learned Advocate for Applicant further specifically draws attention to the fact that in the</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>directions in Para 6(iv) there is exemption given to all those who are due to retire from service within period of 6 months reckoned backward from 30.06.2024.</p> <p>6. Learned Advocate for Applicant states that Respondent No.3 has joined on the post of 'Sub-Inspector State Excise' in M/s. Winspri Enterprises, Mumbai Suburb District' hastily on 31.01.2024 also the date on which the Judgment was pronounced of O.A. No.540/2023 which had been filed earlier by Applicant in O.A. No.113/2024, wherein it has been directed that since Applicant is due for retirement on 31.05.2024 he should be continued till then on present post of 'Sub-Inspector State Excise' in M/s. Winspri Enterprises, Mumbai Suburb District'.</p> <p>7. Learned Advocate for Applicant states that he had served copy of this O.A. No.113/2024 on 'Commissioner of State Excise, Maharashtra State, Mumbai' on 31.01.2024. Therefore the 'Commissioner of State Excise, Maharashtra State, Mumbai' was well aware that 'Transfer Order' dated 29.01.2024 had been challenged by Applicant under 'Section 19' of the 'Administrative Tribunal Act, 1985'. Thus the 'Commissioner of State Excise, Maharashtra State was expected to have acted in time to immediately stay the 'Transfer Order' of 'Respondent No.3'. Also, no refuge can be taken of directions issued by 'Election Commission of India, letter dated 21.12.2023' to transfer officers like Applicant who stand exempted by 'Election Commission of India'. The officers in this 'Special Category' are those who are due to retire within 'Six months' to be reckoned backward from 30.06.2024.</p> <p>8. Learned P.O. opposes the grant of 'Status Quo' to the Applicant in this O.A. No.113/2024.</p> <p>9. The 'Transfer Order' of 'Commissioner of State Excise, Maharashtra State, Mumbai' dated 29.01.2024 issued '<i>Qua The Applicant</i>' is clearly in contravention of directions in 'Para 6(iv)' of 'Election Commission of India, letter dated 21.12.2023' and hence is hereby stayed with further directions to 'Commissioner of State Excise, Maharashtra State, Mumbai' to implement the order passed in respect of Applicant in O.A. No.540/2023 dated 31.01.2024 and permit Applicant to</p>

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	<p>join back on post of 'Sub-Inspector State Excise' in 'M/s. Winspri Enterprises' of 'Mumbai Suburb District'.</p> <p>10. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>11. Issue notice before admission returnable on 15.02.2024.</p> <p>12. 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>13. 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>14. 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>15. 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 Applications 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 Applications shall stand dismissed.</p> <p>16. S.O. to 15.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</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: 01.02.2024</p> <p>O.A. No.1056 of 2023</p> <p>N. P. TummevarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Ms Purva Pradhan holding for Shri D.B. Khaire learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.2. Learned Advocate for Applicant files 'Affidavit-in-Rejoinder' on behalf of Applicant. It is taken on record.3. Learned Advocate for Applicant states that O.A. No.1056/2023 be kept for 'Final Hearing'.4. 'Interim Relief' to continue till 'Next Date'.5. S.O. 21.02.2024. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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
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Date: 01.02.2024

O.A. No.1250 of 2023

S.M. ChavanApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.B. Kadam, learned Advocate for the Applicant holding for Ms. S. Suryawanshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned PO states that the 'District Collector, Pune' likely to take appropriate decision soon to post the Applicant on any 'Vacant Post' of 'Talathi'.

3. The 'District collector, Pune' has already been given more than adequate time to issue appropriate orders in respect of Applicant. Therefore, the 'District Collector, Pune' officer to now depute of the rank of 'Naib. - Tahsildar' on the next date of hearing along with copy of 'Office Order' about posting Applicant to any 'Vacant Post' of 'Talathi'.

3. S.O. to 08.02.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

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Date: 01.02.2024

O.A. No.1518 of 2023

N.K. Patil,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Learned PO seeks 'Two Weeks' time to file 'Affidavit-in-Reply' on behalf of Respondent. Time as prayed for is granted to learned PO.
3. Learned Advocate for Applicant mentions that Respondent No. 2 has chosen not to remain present in person during hearings or be represented by any learned Advocate.
4. 'Interim Relief' to continue till 'Next date'.
5. S.O. to 15.02.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 01.02.2024</p> <p align="center">O.A. No.118 of 2024</p> <p>S.S. BhosaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant states that Applicant has been transferred on 29.01.2024 from post of 'Sub-Inspector State Excise' in 'K-2, Division' of 'Mumbai Suburban' to 'M/s. Millenium Sprit FL-1 No.73, Fursungi, District Pune'. Further Respondent No.3 has also taken charge of the post held by Applicant upon her transfer from the post of 'Sub-Inspector State Excise' in 'M & TP Pune'.</p> <p>3. Learned Advocate for Applicant further states that Applicant and her Husband both are serving as 'Sub-Inspector State Excise'. She also states that 'Husband' of Applicant is currently working in 'Thane District'. The Applicant has '3 Years' of service left and therefore has requested for reconsideration of her transfer to 'M/s. Millenium Sprit FL-1 No.73, Fursungi, District Pune' in accordance with policy guidelines of 'Husband & Wife' to be posted together as per G.A.D. G.R dated 09.04.2018'. The Applicant thus desires to be transferred to any post of 'Sub-Inspector State Excise' in 'Thane District'.</p> <p>4. Learned Advocate for Applicant states that although Applicant was aware of her likely transfer as per guidelines in 'Para 5.4' of 'Election Commission of</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>India letter dated 21.12.2023' with respect of 'Prohibition and Excise Officers', she did not submit any request to 'Commissioner of State Excise, Maharashtra State, Mumbai' to be posted together with her 'Husband' in 'Thane District'.</p> <p>5. Learned P.O. states that he needs time to ascertain if it would be possible for the 'Commissioner of State Excise, Maharashtra State, Mumbai' to consider the request of Applicant to be posted on any post in 'Thane District' where her 'Husband' is also serving as 'Sub-Inspector State Excise' in keeping with the policy guidelines in G.A.D. G.R dated 09.04.2018'.</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 09.02.2024.</p> <p>8. 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>9. 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>10. 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>11. 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 Applications 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 Applications shall stand dismissed.</p> <p>12. S.O. to 09.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

ORIGINAL APPLICATION NO.107 of 2024

Subject: Appointment

B. K. Gongawane)....Applicant
Versus
The State of Maharashtra & Ors.) ...Respondents.

Shri A.A. Gharate, learned Advocate for the Applicant.

Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Justice Mridula Bhatkar, Chairperson**
Shri Debashish Chakrabarty, Member (A)

DATE : **01.02.2024**

ORDER

1. Heard Shri A. A. Gharte, learned Counsel and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned Counsel for the Applicant submits that Applicant is 'NT-D' and has applied for 'Multi Cadre' posts pursuant to Advertisement No.045/2022 published by Respondent No.2- MPSC on 11.05.2022 for State Services Preliminary Examination-2022.
3. Learned Counsel states that Applicant has applied for the 'Multi Cadre' posts under the category of 'Mental Illness/ Multiple Disabilities' of Clause of 'd' and 'e' of Section 34 (1) of 'The Rights of Persons with Disability Act, 2016'. Thereafter, Respondent No.2 published Advertisement No.99/2022 dated 11.11.2022 for Staff Services Mains Examination-2022 wherein he was declared as passed and after got selected in Interview conducted by Respondent No.2, Applicant's name was placed at Sr. No.1811 in the 'General Merit List' published by MPSC on 18.01.2024.
4. Learned Counsel further submits that General Merit List dated 18.01.2024 also consists names of other 6 candidates who are selected/ listed above the Applicant under the category of 'Multiple Disability/Mental Illness' but they do not fall under the category of Multiple Disability under Clauses (a) and (d) of Section 34(1) of 'The Rights of

Persons with Disability Act, 2016' coupled with 'Deafness-Blindness'. Learned Counsel submits that in the said Advertisements total of 6 posts are earmarked for 'Mental Illness/ Multiple Disabilities' category of Clause 'd' and 'e' of Section 34 (1) of 'The Rights of Persons with Disability Act, 2016'. He thereupon submits that if one of the candidates out of 6 is found not to be having proper documents or requisite Disability Certificate under Clause 'd' and 'e' of Section 34 (1) of 'The Rights of Persons with Disability Act, 2016'; then Applicant is eligible for recommendation by MPSC under the category reserved for category of 'Mental Illness/ Multiple Disabilities'.

5. Learned Counsel points out 'Disability Certificate' of Shri Aditya Bamane who is at Sr. No.1795 in 'General Merit List' which is at 'Exb. I', (Page No.279. The said 'Disability Certificate' discloses 3 types of disabilities i.e. Muscular Dystrophy, Locomotor Disability and Low Vision of left eye. He submits that the candidate at Sr. No.1795 -Shri Aditya Bamane has no 'Mental Illness' as contemplated under Clause 'd' of Section 34 (1) of 'The Rights of Persons with Disability Act, 2016' and if at all his disabilities are to be considered under Clause 'e' of Section 34 of 'The Rights of Persons with Disability Act, 2016'. of 'Disability Act 2016' i.e 'Mental Illness/ Multiple Disabilities' then it is necessary that such candidate who suffers from Blindness and Deafness and also other disability under Clause (a) to (d) can be selected under Clause (e) of Section 34(1) of 'The Rights of Persons with Disability Act, 2016'. In case of selected candidate at Sr. No.1795- Shri Aditya Bamane, he has 'Low Vision' but has no ailment of Deafness. Therefore, his case cannot falls under Clause 'e' of 'The Rights of Persons with Disability Act, 2016' to make him eligible under 'Multiple Disability'.

6. Learned Counsel points out Applicant's 'Disability Certificate' dated 10.11.2024 issued by Dr. Archana Gadkari, Central Hospital, Ulhasnagar which is at Exabit A, page 23 of O.A. In the said 'Disability Certificate', the Applicant's disability is mentioned as follows :-

- (i) He is a case of Mental Illness
- (ii) The diagnosis in his case is OCD with Depression.
- (iii) He has 45% Permanent Disability in relation to his Mental Illness.

7. Learned Counsel for the Applicant prays that Respondent – MPSC should be directed to reverify the 'Disability Certificates' of selected / wait listed candidates in

accordance with GR dated 29.05.2019 read with Rights of Persons with Disability Act, 2016.

8. Learned Counsel for Applicant then relied on the judgment of the Hon'ble Supreme Court in ***AIRLONLINE 2019 SC 1847 (Mukul Kumar Tyagi V/s State of Uttar Pradesh)*** on the point of impleadment of proper and necessary parties. He referred to 'Para 75' of the said judgment on the point of proper and necessary party impleadment which reads as under:-

"75. The present is a case where the writ petitioners had not raised any challenge to a particular qualification of any individual candidate rather their challenge was that without scrutiny large number of candidates, who were claiming qualification equivalent to CCC certificate have been included without there being any scrutiny and without they fulfil the qualification. The case of the writ petitioners was that the computer certificate issued by the private organisations and unregistered societies, who neither were recognised by the State Government or Central Government or by any statutory body could not issue any certificate. We may further notice that Division Bench also noticed the above argument of non-impleadment of all the selected candidates in the writ petition but Division Bench has not based its judgment on the above argument. When the inclusion in the select list of large number of candidates is on the basis of an arbitrary or illegal process, the aggrieved parties can complain and in such cases necessity of impleadment of each and every person cannot be insisted. Furthermore, when select list contained names of 2211 candidates, it becomes unnecessary to implead every candidate in view of the nature of the challenge, which was levelled in the writ petition. Moreover, few selected candidates were also impleaded in the writ petitions in representative capacity.

9. In case of Mukul Kumar Tyagi's case (cited supra) in 'Para 75' referred by learned Counsel, the Select List contained names of 2211 candidates so it was not possible to implead all them as party. But in present case, there are only 6 candidates under the category of 'Mental Illness/ Multiple Disabilities'. Hence, the case referred by learned Counsel is not applicable in present O.A.

10. In view of the facts mentioned above, we are of the opinion that if we allow application or any order is passed in favour of the Applicant, the candidates whose 'Disability Certificates' are challenged, they are required to be made as 'Party Respondents' in present O.A.

11. The MPSC is directed to furnish Names and Addressed of the candidates whose 'Disability Certificates' are challenged in present O.A.

12. Learned Counsel prays for leave to carry out 'Amendments' to the O.A.

13. 'Amendments' is to be carried out by adding proposed 'Party Respondents'.

14. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
15. Issue notice before admission returnable on 06.02.2024.
16. 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 M.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.
17. 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.
18. 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.
19. 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.
20. S.O. to 06.02.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

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	<p>Date : 01.02.2024</p> <p>O. A. No.108 of 2024</p> <p>S.B. RajmaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Y. P. Morbale, learned Counsel for the Applicant and Ms S. P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that on the basis of the 'Sports Certificate Verification', Applicant was recruited on the post of 'Staff Nurse' in the Government General Hospital, Sangali from 'SC Sports Quota' on 14.08.2014. Thereafter, Respondent No.1 published an Advertisement on 21.02.2019 for filling up vacancies in Group 'C' Cadre by Direct Service. One of the posts mentioned in Advertisement was 'Sister Tutor'. Being eligible, the Applicant applied for the said post on 15.03.2019 and subsequently selected for the post of 'Sister Tutor' from 'SC Sports Quota'.</p> <p>3. Learned Counsel for Applicant further points out that Applicant has played the sport of 'Volleyball' at State level. However, his 'Sports Certificate' was reverified as per directions of Respondent No.2 and reverification report issued by Resodnent No.3 was received on 10.03.2023 thereby declaring the Applicant eligible for 5% sports person reservation for posts in Group 'C' and 'D'. Despite this, Respondent No.2 by order dated 12.01.2024 cancelling the appointment of Applicant on the post of 'Sister Tutor' which is under challenged where the Respondent No.2 has outrightly rejected his appointment to the post of 'Sister Tutor' from 'SC Sports Quota' on the ground that reverification report dated 10.03.2023 submitted by the Applicant was after the date of Advertisement published by Government of Maharashtra.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. The Applicant, therefore, challenges the impugned order dated 12.01.2024 issued by Respondent No.2 and seeks directions against the Respondent No.2 to consider the candidature of Applicant for further selection process for the post of 'Sister Tutor' by declaring his Sports Certificate as 'Valid'.</p> <p>5. In view of above, we direct the Respondents to keep 'One Post' of 'Sister Tutor' vacant till disposal of O.A.</p> <p>6. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 22.02.2024.</p> <p>8. 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 M.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>9. 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>10. 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>11. 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.</p> <p>12. S.O. to 22.02.2024.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 01.02.2024</p> <p>O. A. No.93 of 2024</p> <p>S. K. Mahanavar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri B. A. Bandiwadekar, learned Counsel for the Applicants and Ms S. P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. The Respondent No.2 is directed to furnish names and addresses of Private Respondents to learned Counsel for Applicants.</p> <p>3. 'Status Quo' as on today in the appointment is maintained.</p> <p>4. S.O. to 08.02.2024.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>usm</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
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Date : 01.02.2024

O. A. No.78 of 2024

R. R. Gaikwad

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned P.O. for the Respondents.
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 29.02.2024.
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 M.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.
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. 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.
7. 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.
8. S.O. to 29.02.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

vsm

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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: 01.02.2024</p> <p align="center">O.A. No.114 of 2024 with O.A. No.115 of 2024 with O.A. No.122 of 2024</p> <p>S.S. Gaikwad A.S. Pawar B.S. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents in O.A. No.114/24 along with Smt. Archana B.K., learned Presenting Officer for the Respondents in O.A. No.115/24 & 122/24.</p> <p>2. Learned Advocate for Applicants states that Applicants were working as 'Inspectors' in 'Crime Branch' under 'Commissioner of Police, Pimpri Chinchwad'.</p> <p>3. Learned Advocate for Applicant further states that they were proposed to be transferred from 'Crime Branch' by way of 'Commissioner of Police, Pimpri Chinchwad' letter dated 24.01.2024 to 'Additional Director General of Police (Establishment), Maharashtra State'.</p> <p>4. Learned Advocate for Applicant further states that proposal for transfer of Applicants from 'Crime Branch' which had been submitted by 'Commissioner of Police, Pimpri Chinchwad' on 24.01.2024 came to be approved by 'Order' of 'D.G.P. Maharashtra State' dated 30.01.2024.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Learned Advocate for Applicant thereupon states that 'Commissioner of Police, Pimpri Chinchwad' by separate Order dated 25.01.2024 without waiting for 'D.G.P. Maharashtra State' to approve the proposal submitted by him on 24.01.2024 transferred several other 'Inspectors' serving in various 'Police Stations' in place of Applicants working in 'Crime Branch' by implementing directions in 'D.G.P. Maharashtra State' letters dated 03.01.2024 and 25.01.2024.</p> <p>6. Learned Advocate for Applicants contended that such course of action could not have been taken by the 'Commissioner of Police, Pimpri Chinchwad' in view of the directions of 'Election Commission of India letter dated 21.12.2023' which has excluded 'Police Officers' such as 'Applicants' who were serving in 'Crime Branch', Thus their transfers could not have been done as per directions of 'D.G.P. Maharashtra State' letters dated 03.01.2024 and 25.01.2024 with a view to supplant the directions issued by 'Election Commission of India letter dated 21.12.2023'.</p> <p>7. Learned P.O. states that transfers which have been effected by 'Commissioner of Police, Pimpri Chinchwad' on 25.01.2024 and subsequently by 'D.G.P. Maharashtra State' on 30.01.2024 are in accordance with the directions in 'Election Commission of India letter dated 21.12.2023' and upon observance of provisions of law under 'Section 22 N' of 'Maharashtra Police Act, 1951'.</p> <p>8. The issues which have been raised relate primarily to transfers of 'Police Officers' by (i) Order dated 25.01.2024 by 'Commissioner of Police, Pimpri Chinchwad' and (ii) Order dated 30.01.2022 by 'D.G.P. Maharashtra State' against the backdrop of directions in 'Election Commission of India letter dated 21.12.2023'.</p> <p>9. The 'Home Department' in the meanwhile had sought clarifications on 16.01.2024 with regard to directions in 'Election Commission of India letter dated 21.12.2023' from 'Chief Electoral Officer, Maharashtra State'. Subsequently appropriate clarifications came to be issued by 'Election Commission of India' letter dated 19.01.2024 to 'Chief Electoral Officer, Maharashtra State' in the context of the earlier letter of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra</p>

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	<p>State, Mumbai' dated 09.01.2024 in which separate 'Annexure' was attached to indicate the directions in 'Election Commission of India letter dated 21.12.2023' and presumption made by office of 'D.G.P. Maharashtra State, Mumbai'. In this 'Annexure' at 'Serial No.5' the presumption made by office of 'D.G.P. Maharashtra State' was as to whether directions with regard to period of posting of 'Three Years' out of last 'Four Years' were also applicable to 'Police Officers' posted in 'Specialized Agencies' such as 'State Intelligence Department, Crime Intelligence Department, Anti-Terrorist Squad, Protection of Civil Rights, Police Training Centres, Highway Safety Patrols etc.' The presumption of the office of 'D.G.P. Maharashtra State' therefore was about the extent of interpretation to be made about the phrase 'Functional Departments' used in the context of 'Computerization, Special Branch Training' etc. in 'Para 5.3' of 'Election Commission of India letter dated 21.12.2023'.</p> <p>10. The 'Election Commission of India letter dated 19.01.2024' addressed to 'Chief Electoral Officer, Maharashtra State' clarifies about these presumptions made by office of 'D.G.P., Maharashtra State, Mumbai' by directing that entire tenure in 'Revenue District' should be counted irrespective of establishments of 'Police Commissioners' or 'Superintendents of Police' or even 'Branch of Posting'. Hence, from the nature of clarifications subsequently issued by 'Election Commission of India' on 19.01.2024 and again on 24.01.2024 regarding the presumption made by office of 'D.G.P., Maharashtra State' it becomes necessary to seek the presence of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' to understand as to how these revised directions are to be understood and implemented by 'D.G.P., Maharashtra State' as well as 'Heads of</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Specialized Agencies' and by all field establishments of (i) 'Commissioners of Police' (ii) 'Special IGP's' and (iii) 'Superintendents of Police'.</p> <p>11. Learned P.O. accordingly to urgently convey these observations to 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai'. Till such time as final views of 'Chief Electoral Officer, Maharashtra State, Mumbai' are received through 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' about expected course of action regarding subsequent clarifications made by 'Election Commission of India letters dated 19.01.2024' and 24.01.2024 read with standing instruction at 'Sr. No.5' of Election Commission of India letter dated 21.12.2023' especially in respect of 'Police Officers' who are serving in 'Functional Departments' such as 'Computerization, Special Branches Training etc., the implementation of the (i) 'Order' of 'D.G.P. Maharashtra State, Mumbai' dated 30.01.2024 and (ii) 'Order' of 'Commissioner of Police, Pimpri-Chinchwad' dated 25.01.2024 be held in abeyance '<i>Qua the Applicants</i>'. The Applicants in the meanwhile are accordingly allowed to work on their respective posts as on 01.02.2024.</p> <p>12. Learned Advocate for Applicant states that she would like to amend all these '3 O.As' by adding 'Chief Electoral Officer, Maharashtra State.' as 'Respondent No.4'.</p> <p>13. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>14. Issue notice before admission returnable on 09.02.2024.</p> <p>15. 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>16. 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>

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	<p>17. 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>18. 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 Applications 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 Applications shall stand dismissed.</p> <p>19. S.O. to 09.02.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

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	<p>Date: 01.02.2024</p> <p align="center">O.A. No.326 of 2023</p> <p>S.S. TambeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The 'D.G.P. Maharashtra State' was directed on 17.01.2024 to issue 'Transfer Order' of Applicant and convey it to 'Commissioner of Police, Greater Mumbai' as the 'Special IGP, Chhatrapati Sambhaji Nagar Range' has already issued 'N.O.C.'.</p> <p>3. The 'D.G.P., Maharashtra State' therefore to decide about the case of Applicant within 'One Week' and issue 'Transfer Order' of Applicant to join on establishment of 'Special IGP, Chhatrapati Sambhaji Nagar Range' considering that 'Husband' of Applicant is also serving as 'Police Head Constable' on the establishment of 'Superintendent of Police, Beed'.</p> <p>4. Learned P.O. states that no information has yet been received from 'D.G.P., Maharashtra State' with respect to action taken as per order dated 17.01.2024.</p> <p>5. S.O. to 08.02.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p style="text-align: center;">O. A. No.77 of 2024</p> <p>Shri Sandip Desai & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri N. Y. Chavan, learned Counsel for the Applicants and Ms S. P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. On request of learned CPO, two weeks time is granted to filed Affidavit in Reply.</p> <p>3. S.O. to 15.02.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p><i>usm</i></p>

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

Date : 01.02.2024

M.A.No.73 of 2024 in O. A. No.77 of 2024

Shri Sandip Desai & Ors.Applicants

Versus

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

1. Shri N. Y. Chavan, learned Counsel for the Applicants and Ms S. P. Manchekar, learned C.P.O. 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 case is 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. No.73 /2024 is allowed. No order as to costs.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

vsm

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

Date : 01.02.2024 Tribunal's orders

O. A. No.48 of 2024

Y. B. Gawade

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Shri S. S. Dere, learned Counsel for the Applicants and Smt. Archana B. K., learned P.O. for the Respondents.
2. The Applicant is working as 'Assistant Electrical Inspector'. He is prosecuted for offence punishable under Section 7 r/w 3(1)(d) and 13(2) of Prevention of Corruption Act, 1988 under CR No.II 54/2011 at Wagale Estate Police Station.
3. Learned Counsel for Applicant submits that incident has taken place in the year 2011 and DE was initiated on 27.09.2021. The Applicant prays for 'Interim Relief' on the ground that there is inordinate delay in initiating DE and secondly, the charges mentioned in DE as well as in Criminal Case including witnesses are one of the same and the charge-sheet under Prevention of Corruption Act, 1988 was filed on 18.7.2014. Learned Counsel for the Applicant relied on the judgment of the Hon'ble Supreme Court in *(2005) 6 SCC 636 (P.V. Mahadevan V/s MD T. N. Housing Board)*.
4. At this stage 'Interim Relief' prayed by learned Counsel cannot be considered as we want 'Deputy Secretary' of Energy Department before us to explain about the delay for initiating D.E. and also the 'Joint Secretary' of PWD Department to remain present to answer a specific query as to why DE was initiated after 10 years.
5. S.O. to 05.02.2024.

Sd/-

(Debashish Chakrabarty)
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
	<p style="text-align: center;"><u>01.02.2024</u></p> <p style="text-align: center;"><u>O.A 67/2017</u></p> <p>Smt A.A Janvalekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Pursuant to the order dated 25.1.2024, Shri Vijay Pawar, Junior Staff Officer, in the office of the Commandant General, Home Guards, Mumbai, is present. He informs that deemed date cannot be given to the applicant to the post of Senior Clerk from 2000-2002 as no junior to the applicant was promoted. However, the applicant was promoted to the post of Senior Clerk on 27.4.2018.</p> <p>3. Learned counsel has submitted that the applicant is promoted to the post of Deputy Accountant which is equal to Head Clerk on 3.11.2021. Learned counsel further submits that the applicant will submit representation to Respondent No. 1, for giving deemed date to the post of Senior Clerk and the Respondent No. 1, be directed to decide the representation on the point of giving deemed date of promotion to the post of Senior Clerk so also Head Clerk.</p> <p>4. The Original Application is disposed of with a direction to Respondent No. 1 to decide the representation filed by the applicant, on or before 14.3.2024 and communicate the same to the applicant.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (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><u>01.02.2024</u></p> <p><u>O.A 327/2016</u></p> <p>M.M Kathe & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicants seek time.</p> <p>3. S.O to 15.2.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>01.02.2024</u></p> <p><u>O.A 1449/2023</u></p> <p>S.B Angule ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 15.2.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>01.02.2024</u></p> <p style="text-align: center;"><u>O.A 552/2023</u></p> <p>A.P Shete ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents No 1 to 3. Smt Punam Mahajan, learned counsel for Respondent no. 4 absent.</p> <p>2. Matter adjourned to 8.2.2024. Part Heard.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (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><u>01.02.2024</u></p> <p style="text-align: center;"><u>O.A 1551/2023</u></p> <p>A.S Sadaphule ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Shri V.P Potbhare has filed leave note. Heard Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O request for time to file reply.</p> <p>3. S.O to 15.2.2024.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (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><u>01.02.2024</u></p> <p><u>O.A 1522/2023</u></p> <p>H.S Narale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The Respondents are directed to produce the G.R dated 14.7.2021 regarding cadre allotment rules issued by G.A.D.</p> <p>3. S.O to 15.2.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

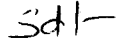

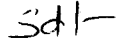

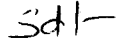

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 style="text-align: center;"><u>R.A. No.9 of 2023 in O.A. No.570 of 2017</u></p> <p>B.G. Kingare & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Applicants in person and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 20.2.2024 for take instructions.</p> <table style="width: 100%;"><tr><td style="text-align: center;"> (Medha Gadgil) Member (A) 1.2.2024</td><td style="text-align: center;"> (Mridula Bhatkar, J.) Chairperson 1.2.2024</td></tr></table> <p>(sgj)</p>	 (Medha Gadgil) Member (A) 1.2.2024	 (Mridula Bhatkar, J.) Chairperson 1.2.2024
 (Medha Gadgil) Member (A) 1.2.2024	 (Mridula Bhatkar, J.) Chairperson 1.2.2024		

**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 style="text-align: center;"><u>O.A. No.1479 of 2023</u></p> <p>B.P. Godage ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Learned Advocate for the Applicant is not present.</p> <p>2. S.O. to 9.2.2024. Interim relief to continue.</p> <p style="text-align: center;"><i>sd/-</i> (Medha Gadgil) Member (A) 1.2.2024 (sgj)</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J.) Chairperson 1.2.2024</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 style="text-align: center;"><u>O.A. No.794 of 2020</u></p> <p>N.N. Chavan & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant is absent. However, in order to give fair chance the matter is adjourned to 5.2.2024 under the same caption of dismissal.</p> <p>3. S.O. to 5.2.2024 for dismissal.</p> <p style="text-align: center;"><i>Sd/-</i> (Medha Gadgil) Member (A) 1.2.2024 (sgj)</p> <p style="text-align: center;"><i>Sd/-</i> (Mridula Bhatkar, J.) Chairperson 1.2.2024</p>

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

Tribunal's orders

C.A. No.9 of 2024 in O.A. No.689 of 2023

D.R. Gujrathi ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, 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 8.2.2024. The respondents are directed to file reply.

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 C.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.

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. 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.

7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the CA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the CA shall stand dismissed.

Sd/-

(Medha Gadgil)
Member (A)
1.2.2024

Sd/-

(Mridula Bhatkar, J.)
Chairperson
1.2.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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>M.A. No.93 of 2023 in O.A. No.691 of 2021</u></p> <p>Dr. S.B. Chavan & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO produces letter dated 8.1.2024 written by Under Secretary, Public Health Department to Commissioner, Health Services, Mumbai and the same is taken on record.</p> <p>2. S.O. to 29.2.2024.</p> <p style="text-align: center;"><i>sd/-</i> (Medha Gadgil) Member (A) 1.2.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar. J.) Chairperson 1.2.2024</p> <p>(sgj)</p>

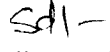
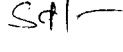
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 style="text-align: center;"><u>M.A. No.10 of 2024 in O.A. No.6 of 2024</u></p> <p>S.K. More & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, Ld. Advocate for the applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents no.1 & 2, Shri U.V. Bhosle, learned Advocate for Respondent No.25 and Shri K.R. Jagdale, learned Advocate for Respondents No.4, 13, 15, 22, 26, 27, 29, 30 & 33.</p> <p>2. S.O. to 15.2.2024 for filing reply by way of last chance.</p> <p style="text-align: center;"> (Medha Gadgil) Member (A) 1.2.2024</p> <p style="text-align: center;"> (Mridula Bhatkar, J.) Chairperson 1.2.2024</p> <p>(sgj)</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 style="text-align: center;"><u>MA.336/2023 in RA.7/2023 in OA.614/2018</u></p> <p>A.B. Katkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Ld. Advocate for the applicant is absent.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 15.2.2024 by way of last chance.</p> <p style="text-align: center;"><i>Sd/-</i> (Medha Gadgil) Member (A) 1.2.2024</p> <p style="text-align: center;"><i>Sd/-</i> (Mridula Bhatkar, J.) Chairperson 1.2.2024</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.422 of 2023</u></p> <p>Praveen A. Waidande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Id. CPO seeks time to file reply.</p> <p>3. S.O. to 15.2.2024.</p> <p style="text-align: center;"><i>Sd/-</i> (Medha Gadgil) Member (A) 1.2.2024</p> <p style="text-align: center;"><i>Sd/-</i> (Mridula Bhatkar, J.) Chairperson 1.2.2024</p> <p>(sgj)</p>

**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 style="text-align: center;"><u>O.As. No.463, 464 & 465 of 2023</u></p> <p>Gangadhar D. Awad & 24 Ors. Namdev S. Sabale & 25 Ors. Rahul S. Kapade & 30 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Purva Pradhan holding for Shri V.S. Kadam, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 22.2.2024 for filing reply.</p> <p style="text-align: center;"><i>Sd/-</i> (Medha Gadgil) Member (A) 1.2.2024 (sgj)</p> <p style="text-align: center;"><i>Sd/-</i> (Mridula Bhatkar. J.) Chairperson 1.2.2024</p>

**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 style="text-align: center;"><u>O.A. No.866 of 2023</u></p> <p>S.B. Padwal & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Purva Pradhan holding for Shri V.S. Kadam, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 22.2.2024 for filing reply.</p> <p style="text-align: center;"><i>sd/-</i> (Medha Gadgil) <i>sd/-</i> (Mridula Bhatkar, J.) Member (A) Chairperson 1.2.2024 1.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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 style="text-align: center;"><u>O.A. No.961 of 2023</u></p> <p>V.V. Pashte ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 15.2.2024 by way of last chance.</p> <p style="text-align: center;"><i>Sd/-</i> (Medha Gadgil) Member (A) 1.2.2024 <i>Sd/-</i> (Mridula Bhatkar. J.) Chairperson 1.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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 style="text-align: center;"><u>O.A. No.1038 of 2023</u></p> <p>V.B. Jadhav & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for the applicants.</p> <p>2. Admit.</p> <p>3. S.O. to 29.2.2024 for final hearing.</p> <p style="text-align: center;"><i>sd/-</i> (Medha Gadgil) Member (A) 1.2.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J.) Chairperson 1.2.2024</p> <p>(sgj)</p>

**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 style="text-align: center;"><u>O.A. No.1164 of 2023</u></p> <p>N.R. Raut ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Sakshi Inamdar holding for Shri Uday Waranjikar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>3. S.O. to 22.2.2024.</p> <p style="text-align: center;"><i>sgj</i> - <i>sgj</i> (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 1.2.2024 1.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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 style="text-align: center;"><u>O.A. No.1283 of 2023</u></p> <p>N.B. Pathan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 15.2.2024 for final hearing.</p> <p style="text-align: center;"><i>sgl</i> (Medha Gadgil) Member (A) 1.2.2024 (sgj)</p> <p style="text-align: center;"><i>sgl</i> (Mridula Bhatkar, J.) Chairperson 1.2.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Original Application 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 style="text-align: center;"><u>O.A. No.1423 of 2023</u></p> <p>A.A. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. I.d. PO files reply.</p> <p>3. S.O. to 22.2.2024 for filing rejoinder.</p> <p style="text-align: center;"><i>sd/-</i> (Medha Gadgil) Member (A) 1.2.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J.) Chairperson 1.2.2024</p> <p>(sgj)</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 : 01.02.2024</p> <p align="center">O.A.No.325/2018 with O.A.No.13/2020</p> <p>A.M. Jadhao (O.A.325/2018) R.S. Pawar (O.A.13/2020)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant in O.A.No.325/2018, Mr. S.S. Dere, learned Counsel for the Applicant in O.A.No.13/2020, Mr. C.T. Chandratre and Mr. D.B. Khaire, learned Counsel for Respondent no.3 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Counsel Mr. Khaire objects the locus of the Applicant on the point that during the pendency of this O.A. the Applicant in O.A.No.325/2018 is trapped and he is prosecuted for the offence punishable under Section 7 read with Section 13(2) of the Prevention of Corruption Act, 1988 by the ACB Mumbai and C.R. No.1/2022 is registered against him and the matter is pending. Applicant Mr. A.M. Jadhao was in judicial custody for more than one month.</p> <p>3. Learned Counsel Mr. Lonkar par contra, has submitted that the objection of learned Counsel Mr. Khaire is not sustainable in view that the offence of Criminal case is the subsequent event and the Tribunal is required to decide the application on the facts as and when the date when the O.A. was instituted and the registration of Criminal case has no barring over the issue involved in it. Learned Counsel Mr. Lonkar further prays for early disposal of the O.A.</p>

Office Notes and/or Memoranda of Coram,
appears in Tribunal's orders or
appears in Registrar's orders

Tribunal's orders

4. So far as early disposal is concerned we would like to state that we are trying our level best to clear the pendency before the Tribunal as now we are dealing with the matters of the year 2017. It is noted that since Member (J), brother Kurhekar has completed his tenure on 25.08.2023 though the Selection Process was initiated much earlier, somehow it was frustrated and therefore again the process is initiated for the appointment of Member (Judicial) and it will take time. Since then Chairperson is the only Member (Judicial) taking up the matters of two Division Benches.

5. In the course of arguments learned Counsel Mr. Lonkar has submitted that some copies of written submissions dated 15.09.2020 were missing. Learned Counsel today files the fresh copy of written remarks. It be taken on record and marked as 'Compilation No.5'.

6. Considered the submissions and we found it necessary to give following directions :

We direct M.P.S.C. and Respondent-State to make a short affidavit stating the fact that considering the record that Criminal Case No.1/2022 dated 04.01.2022 at ACB, Mumbai is against the Applicant Mr. A.M. Jadhao (O.A.No.325/2018) whether he is eligible for interview, recommendation and appointment.

7. Adjourned to 05.02.2024.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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: 01.02.2024</p> <p>O.A. No.1096 of 2023 with O.A. No.1097 of 2023</p> <p>S.S. KhotApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Raktade, learned Advocate for the Applicant, Smt K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri R. Shinde, learned Advocate for the Respondent No.4.</p> <p>2. 'Interim Relief' to continue till 'Next Date' in O.A. No.1097/2023.</p> <p>3. S.O. to 09.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram,
Appearances, Tribunal's orders or
Directions and Registrar's orders

Tribunal's orders

Date : 01.02.2024

R.A.No.2/2023 in O.A.No.356/2022

R.S. Kore through legal heirs
Smt. S.R. Kore & Mr. A.R. KoreApplicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. A.V. Bandiwadekar, learned Counsel for the Applicant and Ms. Archana B.K. learned Presenting Officer for the Respondents.
2. Learned Counsel Mr. Bandiwadekar has submitted that by order dated 23.12.2022 the Single Bench of this Tribunal has partly allowed the O.A.No.356/2022. The Review Application No.2 /2023 is filed on 20.01.2023 by Smt. S.R. Kore and Mr. A.R. Kore, legal heirs of Mr. R.S. Kore. Learned Counsel has submitted that during the pendency of R.A., Applicant No.1, Smt. S.R. Kore died in April, 2023 and thus now Applicant No.2, Mr. A.R. Kore is prosecuting this R.A.
3. Learned Counsel has submitted that in O.A. the prayer for payment of Gratuity with interest, Leave Encashment with interest, Family pension with arrears and interest was made and the same was allowed. Besides this, Applicant had also prayed for claimed for ex-gratia payment of Rs.50 lakhs which was rejected in order dated 23.12.2022. Applicant has received the amount of GIS, medical reimbursement, provident fund insurance and saving fund on 14.11.2022.
4. Learned Counsel has prayed for ex-gratia payment of Rs.50 lakhs in R.A. Learned Counsel has submitted that Mr. R.S. Kore working as Excise Inspector, B Division, Nagpur died on 06.09.2020. He supposed to visit liquor shops and verify whether the guidelines of COVID-19 issued by the State and Central Government are strictly followed or not. In relies on paragraph 3 in G.R. dated 29.05.2020. Learned Counsel has further pointed out that from pages 27 to 42 of the R.A. there are various orders issued by the Government from time to time.
5. At the request of learned P.O. adjourned to 02.02.2024 at 10.00 a.m.

Sd/-

**(Mridula Bhatkar, J.)
Chairperson**