ORIGINAL APPLICATION NOS 512, 513, 514, 515, 516 & 517/ 2012

**DISTRICT: PUNE** 

D.M Ghodake	[O.A 512/2020]	÷
P.G Dhaigude	[O.A 513/2020]	<b>}</b>
S.S Patil	[O.A 514/2020]	
M.G Malusare	[O.A 515/2020]	
K.S Kole	[O.A 516/2020]	71
S.N Dhumal	[O.A 517/2020]	Applicant

#### Versus

The State of Maharashtra & Others )...Respondents

Smt Punam Mahajan, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 01.10.2020

#### ORDER

- 1. All applications are taken together as the issue involved in the application is one and the same.
- 2. Heard Smt Punam Mahajan, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.
- 3. All the applicants are working as Dog Handlers in Bomb Detection and Disposal Squad since last 8 to 10 years at



Pune. They all are transferred by common transfer order dated 26.9.2020.

- 4. Learned counsel for the applicants submitted that there are at present 8 dogs in the service and each dog has two Dog Handlers. She submitted that due to the transfer of these six Dog Handlers, five dogs in the Bomb Squad are facing psychological trauma and are therefore reluctant take commands from the new persons. She has submitted that these amounts to the cruelty to the dogs who cannot speak, but they are in the service. She further submits that all the five dogs are very much attached to the respective Dog Handlers and unable to function without them. In support of her submissions, she has relied on letter dated 7.6.2016 written by Superintendent of Police, CID, Pune and another letter dated 17.11.2016 by Special I.G., VIP Security, State Intelligence Department, Mumbai.
- 5. Learned C.P.O submits that today she has received the papers and she seeks time to file reply.
- 6. Perused two letters referred above. In both the letters the importance and necessity of the service rendered by these trained Dogs in the Bomb Squad to the Police Department is highlighted. It is also stated specifically that the Dog Handlers are not to be transferred till a particular dog retires from the service. The officers sending the letters have referred to the Circular Memorandum No. 2/Police (Sports)/2008 (2)-1141, Intelligence Bureau (Ministry of Home affairs) government of India dated 17.6.2008, wherein it is stated as under:-

"Besides it is important that the handler of the dog is not changed during the operational life time of the Dog."

- 7. Thus the Dog and Dog Handler work as a team and they should not be separated in the interest of bringing about overall and significant improvement in the performance of sniffer dogs.
- 8. The dogs are employed in the Dog Squad who are salaried and their date of retirement is also fixed on the basis of their life span and performance. However, this is that class of employees, who cannot speak and take up their grievances, hence all the more those unspoken to be heard and also attended immediately. The transfer of the dog Handlers undoubtedly leads tremendous mental trauma to the dog and therefore, in the interest of Bomb Disposal Squad, I hereby stay all the transfer orders of these Dog Handlers.
- 9. If at all they are relieved and the transfer orders are now stayed; Dog Handlers are to be sent back to Bomb Detection and Disposal Squad and allow to handle the same dogs with immediate effect.
- 10. The Commissioner of Police, Pune is directed to consider this issue of transfer of the Dog Handlers in view of Circular Memorandum dated 17.6.2008 and also the Maharashtra Police Dog Squad Manual, Chapter-I, 4 (5) (b) (c).



S.O to 20.11.2020. Hamdast granted.

Sd/-

(Mridula Bhatkar, J.) Chairperson

Place: Mumbai Date: 01.10.2020

Dictation taken by: A.K. Nair.

D:\Anil Nair\Judgments\2020\1.10.2020\O.A 512 and others, SB. Transfer challegned, Int order 1.10.2020.doc

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

of  $\cdot 20$ 

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

#### 01.10.2020

#### O.A.No.34 of 2020

S.B. Salunke

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Today learned P.O. produces the copy of communication dated 29.09.2020 received from Respondent No.4. (DGP) addressed to the Applicant informing him that the applicant has been recommended by the M.P.S.C. Accordingly, the applicant could be sent to undergo the training for Police Sub Inspector in the near future. Copy marked as 'X' for identification and taken on record.
- Learned Advocate for the Applicant therefore concedes that his prayer has been addressed and suitably redressed.
- 4. As nothing remains in the Original Application, O.A. is accordingly disposed off.

Sd/-

Sd/-

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

(Mridula Bhatkar J.) Chairperson

prk

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

#### Tribunal's orders

Date: 01.10.2020

O. A. No.888 of 2019

G. D. Gite

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. The Applicant was promoted in the cadre of Joint District Registrar (Class-1) Selection Grade by order dated 04.01.2019 by giving division at Kokan -2. However, his posting was kept in abeyance for long time and during the pendency of O.A., he was posted by order dated 13.09.2019 at Solapur. However, while posting him at Solapur in order dated 13.09.2019, it is made clear that his division at Kokan-2 allotted to him is maintained in terms of Division Cadre Allotment Rules, 2015 and posting at Solapur has been given on administrative ground as a stop gap arrangement.
- 3. The Applicant has filed the present O.A. initially for posting in terms of order dated 04.01.2019 in Kokan-2 division as per prayer clause 15(a). As by order dated 13.09.2019, only temporary posting was given at Solapur meaning thereby the Respondents were intended to give positing in terms of Division Cadre Allotment Rules, 2015 in Kokan-2 division.
- 4. Now, the period of one year is over but no such remedial measures are taken by the Respondents which they are obliged to do so within reasonable time as the posting order dated 13.09.2019 is stop gap arrangement as per their own admission.
- 5. In view of above, learned Counsel for the Applicant made fair statement that his client is ready to wait till general transfer of 2021 for issuance of positing at Kokan-2 and submits that O.A. be disposed of with liberty to agitate the issue of deemed date of promotion and back wages afresh after the decision on his representation.
- 6. In view of above, learned P.O. was asked to take instructions from the Respondent No.1 as to how much time will it take to regularize the posting order of the Applicant.
- 7. Learned P.O. submits that she tried to contact to Respondent No.1 but nobody is available to give instructions.
- B. In view of above, short time is granted to learned P.O. to take instructions from the Respondent No.1 as to whether Government is ready to post the Applicant in his division at Kokan-2 in general transfer of 2021.

S.O. to 08.10.2020.

Sd/-

(A.P. Kurhekar) Member(J)

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

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

01.10.2020

Tribunal's orders

#### O.A 423/2020

Shri P.L Gavali.

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.
- 2. Shri G.A Bandiwadekar states that he has been instructed by the applicant to withdraw the application. Copy of letter sent by the applicant seeking withdrawal of the Original Application is taken on record.
- 3. Allowed to be withdrawn.

Down Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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

Tribunal's orders

#### 01.10.2020

#### M.A 230/2020 in O.A 357/2020

K.M Nyayanit

...Applicant

Vs. The State of Maharashtra & Ors

...Respondents

- 1. Heard Shri S.S Dere, learned advocate for the applicant in M.A 230/2020, Smt Punam Mahajan, learned advocate for the applicant in O.A 357/2020 and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. Learned advocate for the applicant seeks speaking to the minutes in para 6 in the order dated 29.9.2020.

"It is hereby directed that one post of Commandant to be take vacant in promotional quota till 15.12.2020 and other posts can be filled in."

3. Is substituted by following order:-

"It is hereby directed that one post of Commandant to be take vacant till 15.12.2020 and other posts can be filled in".

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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Tribunal's orders

#### 01.10.2020

#### O.A.No.418 of 2020

S.P. Pathak

... Applicant

116

Vs. The State of Maharashtra & Ors

... Respondents

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

The Applicant challenges the order dated 28.09.2018 imposing penalty of 'deduction of 6% pension per month for 10 years'. Pursuant to D.E. initiated vide dated 11.08.2011 the Applicant is already retired on 31.12.2010.

3. In view of the nature of the penalty the matter to be placed before the D.B. Learned Counsel Shri R.G. Panchal is directed to comply with all the formalities. Amendment allowed forthwith, in the date of the retirement, in the prayer clause.

Sd/

(Mridula Bhatkar, J.) Chairperson Date: 01.10.2020

M. A. No.232 of 2020 in O.A.No. 66 of 2020

Dr. Ashok S. Mane

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.
- 2. Issue notice before admission returnable on 27.10.2020.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 8. S.O. to 27.10.2020.

Sd/-

(A.P. Kurhekar) Member(J)

		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 orde	ers
	Date: 01.10.2020	
	O.A.No.1172 o	f 2019
	Dr. S. K. Walinjkar	Applicant
	Versus	
ъ	The State of Maharashtra & Ors.	Respondents.
	The Applicant and his Cou Shri A. J. Chougule, learned Pr Respondents.	
	2. Perusal of record reveals the	nat the matter was lastly
	listed before the Tribunal on 06.0	
Marine	and on that day, it was adjourned	
	due to lockdown, the matter wa	
	Tribunal and today for the first time	
	caption 'Hearing at the stage of Adm	
	3. In view of above, it would be	
	opportunity to the Applicant and appearance.	i his Counsel for their
	4. S.O. to 20.10.2020.	
		V
• ,	1	Sd/- Kurhekar)

Original Application No.	of 20	DISTRICT
		Applicant/s
Advocate		)
	71.	ersus
The		harashtra and others
·	state of Ma	
		Respondent/s
Presenting Officer		)
Office Notes, Office Memoranda of Co Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	1	Date: 01.10.2020
		O.A.No.66 of 2020
		Dr. Ashok S. ManeApplicant
•	\	/ersus
	7	The State of Maharashtra & Ors Respondents.
	1	Heard Shri Arvind V. Bandiwadekar, learned Counsel
	f	or the Applicant and Smt. Kranti Gaikwad holding for Shri A.
	J.	Chougule, learned Presenting Officer for the Respondents.
	2	. Today, learned P.O. for the Respondents has filed
	rı	eply on behalf of the Respondent No.1. It is taken on record.
	3	
	C	ondonation of delay was filed and the same has been filed
•	0	n 29.09.2020. It is also taken on today's board by
	ci	rculation.
	4.	Hence, this O.A. will be taken up for hearing after the
	de	ecision of Misc. Application No.232 of 2020.
		Sd/-
		(A.P. Kurhekar)
	vsi	Member(J)

[*P.T.O*.

#### FARAD CONTINUATION SHEET No.

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

Tribunal's orders

#### O.A.No.228/2020

Shri P.A. Rathod

... Applicant

۷s.

The State of Mah. & Ors.

... Respondents

- Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- Today, the learned Advocate for the Applicant has filed Affidavit-in-rejoinder. It is taken on record.
- This O.A. is heard along with O.A.204/2020 and O.A.241/2020 being arising from similar situation.
- The submissions of Shri Bandiwadekar, learned Advocate for the Applicant are completed.
- On request of learned P.O, the matter is adjourned to 6<sup>th</sup> October, 2020 for his argument.

Sd/-

(A.P. Kurhekar) Member-J 01.10.2020

(skw)

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

#### 01.10.2020

#### O.A.No.322 of 2020

P.A. Chavan

... Applicant

Vs.
The State of Maharashtra & Ors.

... Respondents

- Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. The say dated 15.09.2020 is filed by one Residential Deputy Collector Nashik, Shri Bhagwat Dohiphode. The same is taken on record. However, the concerned officer has not answered the queries made by this Tribunal in order dated 27.08.2020 wherein three posts are identified. The said officer was to inform who are posted to these three posts, (1) Awal Karkoon, Jamabandi, Igatpuri, (2) Awal Karkoon, Employment Guarantee Scheme (E.G.S.), Dindori and (3) Awal Karkoon, Dindori Nashik. However, this query is avoided in the reply dated 15.09.2020.
- 3. I am informed by learned P.O. that these posts are still vacant, however, if the applicant's transfer is cancelled and if at all she is posted on either of these three posts then other Government servants are likely to make the similar representation and flood gate will be opened.
- 4. Considered the submissions made by learned Counsel for the Applicant and learned P.O. for the Respondents and on perusal of the affidavit filed by the concerned officer, it is found that the applicant was posted to Nandgaon during the session of the counseling. It is not her regular transfer but she is promoted and thereafter posted so it cannot be considered a mid-term/mid-tenure transfer. At the time



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

#### Tribunal's orders

of giving posting the higher authority along with suitability, competency, availability is also expected to consider the difficulties of the Government servant. There may be medical ground or very peculiar problems faced at home front. If they are considered at that stage by the higher authority while giving posting then the flow of litigation to this Tribunal can be curtailed to certain extent, so also will increase the efficiency.

officer having a baby of three years old and shouldering the responsibility of mother-in-law as her husband is posted at District Palghar which is more than 200 kms. away from Nashik. For certain period and at a certain stage, it is necessary to consider sympathetically the case of the Government employee when the vacant post is available.

Karkoon, Jamabandi, Igatpuri, (2) Awal Karkoon, E.G.S.), Dindori and (3) Awal Karkoon, Dindori Nashik are lying vacant and though the opportunity was given to the Respondent to answer this query about the vacancy of these 3 posts the Respondent instead of answering the query has made other irrelevant submissions.

Under such circumstances, Original Application is allowed. The order dated 23.06.2020 transferring the applicant to Nandgaon is hereby quashed and set aside. The Applicant is to be posted to either of these three posts till 13.10.2020.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

#### 01,10,2020

#### M.A 27/2020 in O.A 13/2020

Shri R.S Pawar

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri S.S Dere, learned advocate for the applicant and Shri A.A Desai, learned senior counsel with Ms Swati Manchekar, learned C.P.O for the Respondents 1 & 2.
- 2. Mr Dere learned advocate for the applicant submits that Shri Chandratre learned advocate for Respondent no. 3 informed that he is unable to come as the entire building is sealed due to Covid-19 Pandemic and that he has filed leave note that he will not be able to attend the Court till 8.10.2020.
- 2. S.O to 13.10.2020.

Sd/-

(P.N Dixit) Vice-Chairman (A) Sd/-

(Mridula Bhatkar J.) Chairperson

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	:
	01.10.2020
	O.A.No.493 of 2020
	S.M. Khillare Applicant Vs.
	The State of Maharashtra & Ors Respondents
	1. Heard Shri Bhushan A. Bandiwadekar, learned
	Advocate for the Applicant and Smt. K.S. Gaikwad,
•	learned P.O. holding for Shri A.J. Chougule, learned P.O.
	for the Respondents.

2. Learned P.O for the Respondents request for time to file reply.

3. Time<sub>i</sub>granted. Adjourned to 08.10.2020.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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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

01.10.2020

#### O.A.No.328 of 2020

P.S. Kavate

... Applicant

Vs. The State of Maharashtra & Ors

... Respondents

- Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. The Applicant who was working as Deputy Commissioner is challenging the order of suspension dated 20.11.2018 as he is facing the Criminal Complaint No.349/2018 at Swargate Police Station, Pune under Section 7 of the Prevention of Corruption Act, 1988.
- 3. Learned Counsel for the Applicant submits that no sanction to prosecute the applicant is given by the Government and no charge-sheet is therefore filed in the matter. The applicant remained suspended w.e.f. 22.09.2018 i.e. for two years.
- 4. Learned C.P.O. for the Respondents submits that she has been instructed that the case of the applicant is reviewed by the Respondents and Government has decided to reinstate the applicant.
- 5. In view of these submissions and the development in the matter, the matter is disposed off with following order:-

The respondents to take the necessary decision till 15.10.2020 and issue order to that effect.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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

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01.10.2020

#### O.A.No.327 of 2020 with O.A.No.339 of 2020

S.S. Kamathe & Ors. (O.A.327/2020)

M.V. Mohite (O.A.339/2020) ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants in O.A.327/2020, Shri U.V. Mohite, learned Advocate for the Applicant in O.A.No.339/2020 and Smt. K.G. Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O. for the Respondents prays time to file reply. She submits that it will be prepared today and will get verified on or before 08.10.2020.
- 3. Time granted. It is a last chance for learned P.O. to file reply.
- 4. S.O. to 08.10.2020.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

#### 01.10.2020

#### O.A.No.507 of 2020 with M.A.No.231 of 2020

Dr. A.R. Anand

... Applicant

Vs.
The State of Maharashtra & Ors

... Respondents

- Heard Ms. Sonal a/w, Mr. Jahan Chokshi a/w and Mr. Ali Kazmi i/b F.F. & Associates,, learned Advocates for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- Learned C.P.O. seeks time till to file affidavit.
   Thereafter, the matter will be considered for interim relief or may be for a final decision.
- 3. In the meantime, the Respondents are directed not to initiate any disciplinary action till next date.

S.O. to 13.10.2020.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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Tribunal's orders

01.10.2020

#### O.A.No.407 of 2020

D.M. Shirke

... Applicant

The State of Maharashtra & Ors ... 1

Vs.

... Respondents

- Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned P.O. for the Respondents wants time to file reply especially to take instructions regarding placing the case of the Applicant before Civil Services Board for decision.
- 3. S.O. to 22.10.2020.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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Tribunal's orders

01.10.2020

#### O.A.No.479 of 2020

K.P. Salunkhe

... Applicant

The State of Maharashtra & Ors

... Respondents

- Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. The Applicant retired Safai Kamgar prays that the order dated 03.09.2019 be set aside and quashed, and the recovery amount of Rs.6,03,000/- from gratuity and pension be refunded with interest w.e.f. September 2017.
- 3. Respondents to file affidavit-in-reply on next date.

  The prayer of interim relief can be considered on the next date.

S.O. to 19.11.2020.

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Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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#### 01.10.2020

#### O.A 35/2020 with 62/2020

Dr Dudhabhate B.T & Ors [O.A 35/2020] Dr V.D Shinde [O.A 62/2020]... Applicants Vs.

The State of Maharashtra & Ors ... R

... Respondents

- 1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
- 2. Both the matters are clubbed together as the issues involved is the same.
- 3. Learned C.P.O informs that affidavit in reply has already filed in O.A 35/2020 and today she will be filing affidavit in reply in 62/2020.
- 4. Matter is admitted and it is peremptorily fixed on 3.12.2020 for hearing.

Sd/-

(P.N Dixit) Vice-Chairman (A) Sd/

(Mridula Bhatkar J.) Chairperson

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

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Tribunal's orders

01.10.2020

#### O.A 416/2020

Shri D.D Kamble

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri B.R Deshmukh, learned advocate for the applicant, Shri A.J Chougule, learned P.O for the Respondents no 1 to 3 and Shri Kate holding for Shri Warunjikar, learned advocate for Respondents no 4 & 5
- Issue notice after 5.11.2020.
- 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

7. S.O to 5.11.2020.

Sd/-

(P.N Dixit) Vice-Chairman (A) Sd/-

(Mridula R. Bhatkar J.) Chairperson

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

#### Tribunal's orders

01.10.2020

#### O.A 463/2020

Shri D.V Toge

.. Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Vaibhav Ugle, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.
- 2. Applicant prays that the time of conducting physical test of the applicant be extended and also prays by way of interim relief that one post of PSI should be kept vacant. It appears from the submissions that the applicant while participating in the physical test on 26.2.2020, collapsed and till date has not acquired the fitness certificate. The physical test which is postponed for some candidates was to be conducted in the month of September, 2020. Though it is not conducted as per the submissions of learned counsel for the applicant, such extension cannot be given at this stage and no interim relief can be granted as the applicant is still unfit.
- 3. Issue notice returnable on 22.10.2020.
- 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

8. S.O to 22, 10, 2020.

Sd/-

Sd/-

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

(Mridula R. Bhatkar J.) Chairperson

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

of 20

IN

Original Application No.

of 20

#### FARAD CONTINUATION SHEET No.

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

01.10.2020

Tribunal's orders

#### O:A 480/2020

Smt Leena R Kharat Vs. ... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
- 2. The applicant Naib Tahsildar challenges final seniority list dated 30.5.2019.
- Issue notice returnable on 5.11.2020.
- 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

8. S.O to 5.11.2020.

Sd/-

(P.N Dixit) Vice-Chairman (A) (Mridula Bhatkar J.) Chairperson

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

#### 01.10.2020

#### O.A 494/2020

Shri S.K Sabale

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. The applicant, a Jailor, Grade-II, is aggrieved as he was not promoted.
- 3. Issue notice peturnable on 5.11.2020.
- 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

8. S.O to 5.11.2020.

Sd/-

(P.N Dixit) Vice-Chairman (A) (Mridula R. Bhatkar J.) Chairperson

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

of 20

ΙN

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

#### 01.10.2020

#### M.A 43/2020 in O.A 994/2019 with 1134/2019

Shri S.A Narawade [O.A 994/2019]
Shri V.S Dalve [O.A 1134/2019]... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

- 1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O request for time to file reply. Copy of affidavit in reply be given three days' in advance to learned advocate for the applicant.
- 3. S.O to 13.10.2020.

Sd/-

(P.N Dixit) Vice-Chairman (A) Sd/-

(Mridula Bhatkar J.) Chairperson

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

#### 01.10.2020

#### O.A 24/2020

Smt Archana B. Ghadge

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.
- Learned C.P.O files affidavit in reply. Same is taken on record.
- 3. Admit. Place for final hearing on 1.12.2020. In the meanwhile learned advocate for the applicant is at liberty to file rejoinder.

Sd/-

(P.N<sup>l</sup>Dixit) Vice-Chairman (A) \_ JZ M

3u/-

(Mridula R. Bhatkar J.) Chairperson

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

of 20

IN

Original Application No.

of 20

### FARAD CONTINUATION SHEET No.

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

Tribunal's orders

#### 01.10.2020

#### O.A 277/2020

Dr S.B Chavan

... Applicant

The State of Maharashtra & Ors ... Respondents

- 1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
- 2. The matter pertains to selection process of Assistant Professor (Anatomy), wherein the applicant challenges the order dated 27.3.2020, qua Respondents no 4 & 5.
- 3. Learned C.P.O informs that the Respondents are considering the review of the selection process. However, they require time as opinion of Law & Judiciary Department is sought.
- 4. S.O to 22.10.2020.

Sd/-

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Sd/-

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

(Mridula Bhatkar J.) Chairperson

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

of 20

ΙN

Original Application No.

### FARAD CONTINUATION SHEET No.

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

Tribunal's orders

#### 01.10.2020

#### O.A 411/2020

Shri N.B Nagargoje Vs.

... Applicant

The State of Maharashtra & Ors

... Respondents

- Heard Shri U.V Bhosle, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents 1 to 3 and Shri K.R Jagdale, learned advocate for Respondents no 4 to 7.
- Learned C.P.O seeks time to file reply, especially as per para 10 of the order dated 10.9.2020.
- S.O to 29.10.2020.

(PN Dixit)

Vice-Chairman (A)

Sd/-

(Mridula Bhatkar J.) Chairperson

(G.C.P.) J 2959(B) (50,000-3-2017)

### 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

#### 01.10.2020

#### O.A 1133/2018

... Applicants Shri B.A Kale & Others Vs. ... Respondents The State of Maharashtra & Ors

- Shri A. Deshpande, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
- Learned C.P.O informs that she has received instructions that the file from Law & Judiciary Department will be processed with a week and sent to G.A.D / Public Health Department.
- 3. S.O to 8.10.2020.

Sd/-

(P!N Dixit) Vice-Chairman (A) (Mridula R. Bhatkar J.) Chairperson

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Original Application No. of 2	O DISTRICT Applicant/s
(Advocate	) versus
The State of	Maharashtra and others
The State of	Respondent/s
(Presenting Officer	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 01.10.2020
	O. A. No.170 of 2020 with O.A.No.171 of 2020
	Dr. V. G. Memane & AnrApplicants
	Versus
	The State of Maharashtra & OrsRespondents.
•	1. The Applicants and their Counsel are absent. Heard
	Smt. Kranti Galkwad, learned Presenting Officer for the
- and the second	Respondents.
	2. These Original Applications were filed on 26.02.2020
	but was not listed before the Tribunal because of Covid-19
	pandemic situation and lockdown.
	3. Today, for the first time, those are listed for
•	admission.
	4. In view of above, it would be appropriate to adjourn
	the matters for admission to give one opportunity to the
	Applicants and his Counsel to remain present.
	5. S.O. to 15.10.20 <b>20</b> .
	Sd/-
	(A.P. Kurhekar) Member(J)

vsm

Original Application No.	of 20	DISTRICT
Jigitar 11pp		Applicant/s
Advocate	)	
	vers	us
The	State of Mahai	rashtra and others
		Respondent/s
(Presenting Officer		)
Office Notes, Office Memoranda of ( Appearance, Tribunal's orders directions and Registrar's orde	or	Tribunal's orders
		e: 01.10.2020
		O.A.No.252 of 2020
	V. t	O. BharleApplicant
	Vei	rsus
	İ	e State of Maharashtra & OrsRespondents.
		Heard Shri Arvind V. Bandiwadekar, learned Counse the Applicant and Smt. Kranti Gaikwad, learned senting Officer for the Respondents.
	2.	Today, learned Counsel for the Applicant has filed
	Aff	idavit-in-Rejoinder. It is taken on record.
	3.	Matter is adjourned for hearing at the stage o
÷	adı	mission.
	4.	S.O. to 22.10.2020.
		Sd/-
	vsn	(A.P. Kurhekar) Member(J)

Original Application No. of	DISTRICT Applicant/s
(Advocate	
	versus
The State of	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: 01.10.2020
	O.A.No.134 of 2020
	R. V. BhadaneApplicant
	K. V. Biladaile
	Versus
	The State of Maharashtra & Ors Respondents.
 	1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
	2. On request of learned P.O., one week's time is
	granted as a last chance to file reply with clear direction that
	no further time will be granted.
	3. S.O. to 08.10.2020.
	,
	Sd/-
	(A.P. Kurhekar)  Member(J)  vsm

Original Application No.	of 20		District	
Mgmar Application 110.			Applicant/s	
Advocate	)			
	vers	us		
т	The State of Maha	rashtra and others	$\alpha = 0$	
			Respondent/s	
Presenting Officer		)		
Presenting Officer				
Office Notes, Office Memoranda of Appearance, Tribunal's orde directions and Registrar's of	ers or	Tribunal	s orders	
	Da	te: 01.10.2020		
	t 	O.A.No	o.1199 of 2020	
	Y. 1	3. Phad	Applicant	
	Ve	rsus		
	Th	e State of Maharashtra	& OrsRespondents.	
		<b>-</b>	V. Bandiwadekar, learned Cour Smt. Kranti Gaikwad, lear Respondents.	
	2.	On last date, one	week time was granted as a	last
ast of	3.	•	r the Respondents submits t	that
			and reply will be filed on or bet	
<b>♥</b>	1	.10.2020 without fail.		
•	4.	S.O. to 06.10.2020	J.	
		•	Sd/-	
	VST	n	(A.P. Kurhekar) Member(J)	

Original Application No. of	20 District Applicant/s
(Advocate	versus
The State o	f Maharashtra and others
The State o	Respondent/s
(Presenting Officer	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 01.10.2020
	O. A. No.1183 of 2019
	S. H. MoreApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	<ol> <li>The Applicant and his Counsel are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> </ol>
	2. Notice was issued to the Respondents on 23.10.2020
	and since then enough time is availed to file reply.
	3. However, on request of learned P.O., two weeks time
	is granted as a last chance and no further time will be granted.
	4. S.O. to 15.10.202 <b>0</b> .
	Sd/-
	(A.P. Kurhekar)

Member(J)

### (G.C.P.) J 2735 (50,000—4-2019) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.	f 20	DISTRICT	Applicant/s
(Advocate	) versus	*	
The State	of Maharashtra an	d others	
			Respondent/s
(Presenting Officer		.)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
unecrosse and a	Date: 01.10.	.2020	
		O. A. No.1174 of	2019
	V. V. Panse		Applicant
	Versus		
	The State of	Maharashtra & Ors.	Respondents.
	learned Cour	nsel for the Applicant a	olding for Shri V. V. Joshi, and Smt. Kranti Gaikwad ned Presenting Officer for
	the Respond		
		he present matter, the	ne notice was issued on ailed for filing reply.
	Respondent		the learned P.O. for the ranted as a last chance to e granted.
	4, S.O.	, to 13.10.2 <b>0</b> 20.	
			sd/-
			.P. Kurhekar) Member(J)

vsm

Original Application No. of	20 Distri	ICT
		Applicant/s
Advocate	)	
	v.	' 
	versus	
The State of	f 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 orde	rs
	Date: 01.10.2020	
	O. A. No.117	7 of 2019
	V. M. Thombare	Applicant
	Versus	
	The State of Maharashtra & Ors.	Respondents.
	1. The Applicant and his C	Counsel are absent. Heard
المعينان المعارب	Smt. Kranti Gaikwad holding for	Shri A. J. Chougule learned
	Presenting Officer for the Respond	dents.
·	2. Today, learned P.O. has fil	ed reply on behalf of the
	Respondent No.2. It is taken on re	ecord.
	3. No reply is filed on behalf	of the Respondent No.1.
	4. Matter is adjourned for	hearing at the stage of
	admission.	
	5. S.O. to 22.10.2020.	
		Sd/-
	(A	P. Kurhekar) Member(J)

vsm

Original Application No.	of 20	DISTRICT
Original repplication 2.10.		Applicant/s
(Advocate		)
		w.
		versus
The St	ate of M	aharashtra and others
		Respondent/s
(Presenting Officer		)
Office Notes, Office Memoranda of Cora Appearance, Tribunal's orders or directions and Registrar's orders	m,	Tribunal's orders
		Date: 01.10.2020
		M. A. No.529 of 2019 in O.A.No.959 of 2019
		R. A. KoliApplicant
	İ	R. A. KoliApplicant
		Versus
		The State of Maharashtra & OrsRespondents.
		1. The Applicants and his Counsel are absent. Heard
	*	Smt. Kranti Gaikwad, learned Presenting Officer for the
		Respondents.
		2. On request of learned P.O. for the Respondents,
		two weeks time is granted for filing reply as a last chance.
		3. S.O. to 13.10.2 <b>020</b> .
		$\nu$
•		Sd/-
		(A.P. Kurhekar)
		Member(J)
•		vsm
	1	

Original Application No.	of 20	Districт Applicant/s		
(Advocate				
		versus		
The S	tate of M	laharashtra 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: 01,10.2020  O.A.No.905 of 2017 with M.A.No.698 of 2019		
		Dr. Dhason SimonApplicant		
		Versus		
		The State of Maharashtra & OrsRespondents.		
	and the second second	1. Heard Smt. Punam Mahajan, learned Counsel for the		
		Applicant and Smt. Kranti Gaikwad, learned Chief Presenting Officer for the Respondents.		
		2. On request of learned P.O. for the Respondents, two		
		weeks time is granted as a last chance for filing reply to the amended O.A.		
	3	3. S.O. to 13.10.2020.		
• •		Sd/-		
	V	(A.P. Kurhekar)  Member(J)		

original Application No. of			DISTRICT	DISTRICT Applicant/s	
(Advocate		)		rippicanos	
	D.	ersus	<b>4.</b> .		
ጥ		harashtra and othe	rs		
	•• • • • • • • • • • • • • • • • • • •			Respondent/s	
(Presenting Officer		)	·		
Office Notes, Office Memoranda of Appearance, Tribunal's orders directions and Registrar's or	s or	Trib	unal's orders		
	ם	Pate: 01.10.2020			
		O. A. No.309 of 2019			
	D	r. S. V. Patil		Applicant	
	v	ersus			
		he State of Maharash	itra & Ors.	Respondents.	
	1		nsel for the Appl	olding for Shri V. P icant and Smt. Krant the Respondents.	
	re	ubmits that Shri V. P.	Potbhare, l <mark>e</mark> arne	nsel for the Applicant d Counsel is unable to and requested for	
	si	ated 25.09.2020 stat	ting that due to	so sent an application o Covid-19 Pandemic ent and requested for	
	4.	S.O. to 29.10.20	020.		
			r S	d/-	

(A.P. Kurhekar) Member(J)