

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

Tribunal's orders

Date: 01.10.2024

M.A. No.588 of 2024 in O.A. No.1259 of 2024

A.E. MisalApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. strongly opposes M.A. No.588/2024 regarding 'Condonation of Delay' of about '6 Months & 15 Days' in challenging 'Order' dated 15.02.2023 passed by 'The Settlement Commissioner and the Director of Land Records (M.S.), Pune'.

3. Learned Advocate for Applicant states that 'Condonation of Delay' of '6 Months & 15 Days' be allowed as Applicant is seeking redressal of grievance regarding treating his 'Absenteeism Period' as 'Break-in-Service' without observing provisions of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979' and 'Maharashtra Civil Services (Leave) Rules, 1981'

4. Learned P.O. is accordingly directed to file reply to M.A. No.588/2024 which is about 'Condonation of Delay' of '6 Months & 15 Days' by mentioning distinct reasons as to why this delay cannot be condoned keeping in mind enabling provisions under 'Section 21(3)' of 'The Administrative Tribunal Act, 1985' and by referring to large set of precedence in which delays of '6 Months' or more have been condoned considering the nature of grievance especially if Applicants fulfill requirements of 'Section 20(2)' of 'The Administrative Tribunal Act, 1985'.

5. S.O. to 15.10.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 01.10.2024
	O.A. No.1242 of 2024
	<p>S.S. WaghApplicant Versus The State of Maharashtra & Ors.Respondents.</p>
	<p>1. Shri K.S. Jadhav, 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 is working on post of 'Driver' under 'Controller, Government Transport Services, Worli, Mumbai'.</p>
	<p>3. Learned Advocate for Applicant then states that 'Controller, Government Transport Services, Worli, Mumbai' had received an 'Anonymous Compliant' against Applicant and so had called for his explanation on 03.09.2024. Applicant replied to 'Controller, Government Transport Services, Worli, Mumbai' on 09.09.2024 seeking documents relating to the 'Anonymous Compliant'.</p>
	<p>4. Learned Advocate for Applicant then states that 'Controller, Government Transport Services, Worli, Mumbai' again sought explanation from Applicant on 13.09.2024 relating to matters of 'Driver Licences', 'Non-Creamy Layer Certificate' etc. obtained by Applicant.</p>
	<p>5. Learned Advocate for Applicant contends that these letters dated 03.09.2024 and 13.09.2024 seeking explanation had been given belatedly to Applicant leaving him with no time for reply to 'Controller, Government Transport Services, Worli, Mumbai'.</p>

Office Notes, Office Memoranda of Coram,
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However, 'Controller, Government Transport Services, Worli, Mumbai' by letter dated 20.09.2024 gave further time to Applicant to submit replies to his earlier letters dated 03.09.2024 and 13.09.2024.

6. Learned Advocate for Applicant emphasizes that even the letter dated 20.09.2024 was handed to over very late to Applicant only dated 23.09.2024. Nonetheless the Applicant submitted detailed reply to 'Controller, Government Transport Services, Worli, Mumbai' on 24.09.2024.

7. Learned Advocate for Applicant further states that Applicant is challenging the last letter on 25.09.2024 of 'Controller, Government Transport Services, Worli, Mumbai' directing Applicant to remain present on 26.09.2024 before the 'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai'.

8. Learned Advocate for Applicant thereupon clarifies that Applicant obeyed the directions of 'Controller, Government Transport Services, Worli, Mumbai' and presented himself before 'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai' on 26.09.2024 but incharge of 'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai' has instructed Applicant to remain present again on 07.10.2024.

9. Learned P.O. emphasized that Applicant was directed to remain present before 'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai' on 26.09.2024 considering the serious disclosures Applicant had made about adverse effects on his 'Health' & 'Mind' after being served with successive letters by 'Controller, Government Transport Services, Worli, Mumbai'.

10. Learned P.O. stressed that as Applicant has already presented himself once before 'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai' on 26.09.2024 & obeyed directions in letter of 'Controller, Government Transport Services, Worli, Mumbai' dated 25.09.2024; the Applicant must complete the full procedure of 'Medical Examination' by remaining present again before

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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>'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai' on 07.10.2024.</p> <p>11. The 'Controller, Government Transport Services, Worli, Mumbai' must be given fair opportunity to explain why letter dated 24.09.2024 was written to Applicant. Hence, 'Affidavit-in-Reply' be filed by 'Controller, Government Transport Services, Worli, Mumbai' after the Applicant undergoes full 'Medical Examination' by 'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai' on 07.10.2024; or thereafter; but the 'Affidavit-in-Reply' must include averments regarding applicable 'Rules' & 'Regulations' by which decision is to be taken by 'Appointing Authority' or 'Competent Authority' to direct any 'Government Servant' to appear for 'Medical Examination' by 'Medical Board' of 'Sir J.J. Group of Hospitals, Mumbai' or at any other 'Government Medical College'.</p> <p>12. The 'Controller, Government Transport Services, Worli, Mumbai' in the above mentioned circumstances is further directed to permit Applicant to forthwith resume duties as he has agreed to present himself before 'Medical Board' of 'Grant Government Medical College and 'Sir J.J. Group of Hospitals, Mumbai' again on 07.10.2024. However, it is left to discretion of 'Controller, Government Transport Services, Worli, Mumbai' to decide whether or not to deploy Applicant to any duties relating to visits of 'V.V.I.Ps.' and 'V.I.Ps.' because much concern about state of 'Health' & 'Mind' of Applicant has been recorded in letter of 'Controller, Government Transport Services, Worli, Mumbai' dated 25.09.2024.</p>

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

13. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
14. Issue notice before admission returnable on 15.10.2024.
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.
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.
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.
18. 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 Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
19. S.O. to 15.10.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 01.10.2024

O.A. No.154 of 2024

H.S. PatilApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents and Shri S.S. Dere, learned Advocate for Respondent No.3.

2. Learned PO states that they have recently received instructions from office of 'SP (Rural) Nashik' to file 'Affidavit-in-Sur Rejoinder' to the 'Affidavit-in-Rejoinder' filed by Applicant on 19.02.2024.

3. Learned PO is accordingly granted time to 'One Week' to file 'Affidavit-in-Sur Rejoinder' on behalf of 'SP, (Rural) Nashik'.

4. S.O. to 07.10.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

AGR

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

Tribunal's orders

Date: 01.10.2024

M.A. No.587 of 2024 in O.A. No.1258 of 2024

V.B. BhopiApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.
2. Learned P.O. strongly opposes M.A. No.587/2024 regarding 'Condonation of Delay' of about '6 Months' in challenging 'Order' dated 30.01.2023 passed by 'Commissioner-Cum-Director, Municipal Administration; Navi Mumbai.
3. Learned Advocate for Applicant states that 'Condonation of Delay' of '6 Months' be allowed as Applicant is seeking redressal of grievance relating to award of 'Minor Punishment' in 'Departmental Enquiry' and declaration of 'Suspension Period' as period spent 'Under Suspension'.
4. Learned P.O. is accordingly directed to file reply to M.A. No.587/2024 which is about 'Condonation of Delay' of '6 Months' by mentioning distinct reasons as to why this delay cannot be condoned keeping in mind enabling provisions under 'Section 21(3)' of 'The Administrative Tribunal Act, 1985' and by referring to large set of precedence in which delays of '6 Months' or more have been condoned considering the nature of grievance especially if Applicants fulfill requirements of 'Section 20(2)' of 'The Administrative Tribunal Act, 1985'.
5. S.O. to 15.10.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

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

Tribunal's orders

Date : 01.10.2024

O.A.No.958 of 2024

A.A. Mengade .Applicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. M.D. Lonkar, learned Counsel for the Applicant, Mr. A.J. Chougule, learned Presenting Officer for the Respondents and Mr. V.N. Walawalkar, learned Counsel for the Respondent no.2 are present.

2. O.A. not on board. Taken on board at the request of learned Counsel Mr. Lonkar.

3. Learned Counsel filed praecipe dated 01.10.2024 and application made by applicant dated 29.09.2024 requesting for withdrawal of present O.A.

4. The praecipe dated 01.10.2024 and application dated 29.09.2024 be taken on record and marked as Exhibit-A and Exhibit-B. O.A. is allowed to be withdrawn.

5. In view of above, O.A. stands disposed of as withdrawn.

Sd/-

J (Mridula Bhatkar, J.)
Chairperson

prk

**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 align="center"><u>O.As. No.933, 934 & 935 of 2024</u></p> <p>R.V. Khairnar P.C. Chaudhari P.A. Raut Vs. The State of Maharashtra & Ors.</p> <p align="right">..Applicants ..Respondents</p> <p>Heard Smt. Preeti B. Walimbe, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits that the case of the applicants is covered by judgment and order dated 10.3.2017 passed by the Nagpur Bench of this Tribunal in OA No.749/2015 (Dnyaneshwar S. Kapkar Vs. The State of Maharashtra & Anr.) and the judgment and order dated 21.8.2019 passed by the Nagpur Bench of this Tribunal in OAs No.285 & 286/2018 (Prashant M. Ekapure & Datta G. Tadas respectively Vs. The State of Maharashtra & Anr.), which are annexed to the OAs. However, in the affidavit in reply the respondents are silent on the point whether the case of the applicants is covered by the above judgments.</p> <p>3. Ld. PO to verify the position and make a statement on the next date.</p> <p>3. S.O. to 12.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 1.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 1.10.2024</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 align="center"><u>O.A. No.157 of 2024</u></p> <p>B.S. Jadhav & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri D.B. Khaire, learned Advocate for Private Respondents.</p> <p>2. Ld. Advocate for the Applicants and Ld. Advocate for the Private Respondents states that the above matter be heard along with OA No.388/2024-V.B. Kamble Vs. State and OA No.474/2024-R.S. Roundhal Vs. State.</p> <p>3. The above matters be tagged together.</p> <p>4. S.O. to 22.10.2024. Part heard.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 1.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 1.10.2024</p>

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.1226 of 2024</u></p> <p>B.C. Taras ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri S.B. Gaikwad, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant seeks leave to amend the prayer clause by adding order dated 17.8.2023 passed by the appellate authority.</p> <p>3. Leave granted. Amendment be carried out forthwith and amended copy be served on all the respondents.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 12.11.2024. The respondents are directed to file reply.</p> <p>6. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. 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>8. 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>9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 1.10.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 1.10.2024</p>

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

O.A. No.1149 of 2024

P.A. Bhadane

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents are present.

2. The applicant seeks directions against the respondents to promote him to the post of Forester and also to grant him deemed date of promotion as the juniors are promoted.

3. Ld. PO to take instructions whether juniors of the applicant are promoted and why applicant is denied promotion.

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

5. Issue notice before admission returnable on 29.10.2024. The respondents are directed to file reply.

6. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

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

Sd/-

(Debashish Chakrabarty)

Member (A)

1.10.2024

(sgj)

Sd/-

(Mridula Bhatkar, J.)

Chairperson

1.10.2024

**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 align="center"><u>O.A. No.1098 of 2024</u></p> <p>S.R. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. Shri Mohansinh Umeshsinh Rajput, learned Advocate tenders a copy of letter dated 30.9.2024 issued by High Court Legal Services Committee, Mumbai and states that he has been appointed as "Legal Aid Counsel" on behalf of Applicant Shri Siddhesh Ramesh Shinde in the above matter. The said letter dated 30.9.2024 is taken on record and marked as Court Exhibit-1 for identification.</p> <p>3. S.O. to 23.10.2024. Interim relief, if any, to continue.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 1.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 1.10.2024</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. We direct the respondent no.2 to verify as per page 25-A of the OA whether 8 candidates whose names are shown in the chart have joined and continued.</p> <p>5. Ld. PO on instructions submits that it will take 10 days to declare the results of 2022 examination. In the meanwhile GAD is directed to verify the position of 8 candidates mentioned in the chart at page 25-A of the OA and whether those 8 candidates want to continue in their respective posts and opt out or want to take any other post.</p> <p>6. S.O. to 7.10.2024. Part heard.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 1.10.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 1.10.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 01.10.2024

O.A. No.1562 of 2023

**D.B. Tamhane & Ors.,Applicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.
2. 'Interim Relief' to continue till 'Next Date'.
3. S.O. to 07.10.2024.

**Sd/-
(Debashish Chakrabarty)
Member (A)**

AGR

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 01.10.2024

O.A. No.1408 of 2023

P.M. Raut

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

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

2. 'Interim Relief' to continue till 'Next Date'.

3. S.O. to 07.10.2024.

Sd/-

**(Debashish Chakrabarty)
Member (A)**

AGR

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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IN

Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 01.10.2024</p> <p align="center">O.A.No.1254/2024</p> <p>V.P. Patil .Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Punam Mahajan, learned Counsel for the Applicant and Mr. A.D. Gugale, learned Presenting Officer for the Respondents are present.</p> <p>2. Applicant prays that Respondents be directed to quash and set aside the transfer order dated 30.06.2024 qua the applicant to the extent of posting by which the applicant is transferred from the post of Police Inspector, Gondia District to the post of Police Inspector Pune City Police Commissionerate as against the choice given by the applicant viz (i) Kolhapur (ii) Satara and (iii) Pune (Rural). Further Respondents be directed to transfer the applicant on any one of the Districts viz. (i) Kolhapur (ii) Satara and (iii) Pune (Rural).</p> <p>3. Learned Counsel has submitted that applicant has been working in naxal affected area. Though he has given options Respondents have not considered his options. Thus there is violation of G.A.D.'s G.R. dated 06.08.2002 and Home Department's G.R. dated 08.12.2009.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 29.10.2024.</p>

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

6. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

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

10. Adjourned to 29.10.2024. To be tagged along with O.A.No.1253/2024

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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 : 01.10.2024</p> <p align="center">O.A.No.1253/2024</p> <p>C.M. Suryawanshi .Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Punam Mahajan, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Applicant prays that Respondents be directed to quash and set aside the transfer order dated 30.06.2024 qua the applicant to the extent of posting by which the applicant is transferred from the post of Police Inspector, Gondia District to the post of Police Inspector, Pune City, Police Commissionerate as against the choice given by the Applicant viz. (i) Kolhapur (ii) Solapur Rural and (iii) Satara. Further applicant prays that Respondents be directed to transfer the applicant to any one of the Districts viz. (i) Kolhapur (ii) Solapur Rural and (iii) Satara with all consequential service benefits.</p> <p>3. Learned Counsel has submitted that applicant has been working in naxal affected area. Though he has given options Respondents have not considered his options. Thus there is violation of G.A.D.'s G.R. dated 06.08.2002 and Home Department's G.R. dated 08.12.2009.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 29.10.2024.</p> <p align="right">[P.T.O.]</p>

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

6. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

7. 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.

8. 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.

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

10. Meanwhile Respondents may consider the case of the applicant.

11. Adjourned to 29.10.2024. To be tagged along with O.A.No.1254/2024

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 : 01.10.2024</p> <p align="center">O.A.No.1257/2024</p> <p>M.A. Desai .Applicant Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Applicant prays that Respondents be directed to set aside the impugned order dated 26.09.2024 passed by the Respondent No.1 under which he has transferred the applicant from the post of Deputy Chief Officer, G.A.D. Zilla Parishad, Kolhapur to the post of Block Development Officer, Panchayat Samiti, Barshi, District Solapur cum Assistant Returning Officer and accordingly the applicant be granted all the consequential service benefits, as if the impugned order had not been passed.</p> <p>3. Learned Counsel has submitted that the Applicant has challenged the transfer order dated 26.09.2024 on the ground that applicant's transfer order is issued after 31.08.2024. He has pointed out that as per Government directions the general transfer came to be extended from May, 2024 to 31.08.2024.</p> <p>4. Learned Counsel has submitted that he wants to go through the record.</p> <p>5. Learned P.O. has submitted that record will be produced as and when received by the office of P.O.</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 07.10.2024.</p> <p>8. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p align="right">[P.T.O.]</p>

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

Tribunal's orders

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.

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.

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

12. If Applicant is not yet given new charge and is working at Kolhapur till today, she may continue working at Kolhpuar till next date.

13. Adjourned to 07.10.2024.

Sd/-

(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 : 01.10.2024

O.A.No.824/2024

R.B. Tadv

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.

2. Today learned P.O. has produced the minutes of PEB meeting held on 02.07.2024. In the said minutes it is mentioned that due to default on the part of the applicant in executing the orders of his seniors. Learned P.O. has submitted that the applicant is deployed on the basis of minutes on the same date i.e. 02.07.2024.

3. It appears that there is confusion whether the applicant is deployed or transferred and therefore affidavit of Mr. Somnath Gharge, S.P. Raigad, Alibag is required.

4. Time granted to learned P.O for filing the said affidavit on the next date. Adjourned to 15.10.2024.

Sd/-

(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 : 01.10.2024

**O.A.No.1125/2024 with O.A.No.1126/2024 with
O.A.No.1127/2024**

C.A. Nalawade

S.K. Biradar

S.R. Khatte

Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Ms. Punam Mahajan, learned Counsel for the Applicant and Mr. A.J. Chougule, Ms. Archana B.K. with Mr. D.R. Patil, learned Presenting Officer for the Respondents are present.

2. Learned Counsel Ms. Mahajan has submitted that the applicants in O.A.no.1126/2024, S.K. Biradar and O.A.No.1126/2024, S.R. Khatte have submitted representation on 30.09.2024 giving options.

3. Respondents to consider the same in the meantime.

4. Admit. Place for Final hearing.

5. Adjourned to 15.10.2024.

Sd/-

(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 : 01.10.2024

M.A.No.586/2024 in O.A.No.1056/2024

M.B. Sakhakar .Applicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents, Mr. M.B. Kadam, learned Counsel for the Respondents No.7 and 8 and Ms. Punam Mahajan, learned Counsel for Respondents No.3 to 6 are present.

2. M.A.586/2024 is filed seeking amendment in O.A.1056/2024 as per 'Schedule- A'.

3. Learned Counsel has submitted that M.A. is sought in respect of competency of the Respondents No.3 to 10 and to delete Respondents No.3 to 10 from the array of Respondents.

4. Allowed to amend. Amendment be carried out forthwith and amended copy be served upon the concern.

5. Officer from the State Excise Department is directed to remain present along with chart showing whether any post is going to fall vacant in next one or two months.

6. M.A. stands allowed. O.A. Adjourned to 07.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 01.10.2024

O.A.No.846/2024

S.V. Hitare

Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. S.S. Dere, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. U.P. Warunjikar, learned Counsel for Respondent No.4 are present.

2. Admit. Place for Final Hearing.

3. Adjourned to 04.10.2024. FOB. Matter will be heard finally.

Sd/-

(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 : 01.10.2024

O.A.No.1187/2024

R.V. Varade

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Mr. A.R. Deshpande, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Counsel for the Respondent no.2 are present.

2. Today learned P.O. produces the copies of five complaints in respect of the applicant which are received by the Department from some local persons who had approached the applicant for some official work, but he had demanded money for doing the said work. All these complaints are addressed to the M.L.A. Mr. Manikrao Kokate. Learned P.O. on instructions admits that no information about the said complaints was given to the applicant. Learned P.O. prays for one week time to file affidavit-in-reply.

3. Thus, it is found that the applicant is not given opportunity to give his say or verify the facts and just on the basis of these complaints on mid-term and mid-tenure transfer order is passed. Time granted learned P.O. to file affidavit-in-reply. Respondents are required to explain why principles of natural justice are not followed. The applicants should have been given opportunity by informing him about the complaints and thereafter to explain and give his say. Copies of the complaints are to be furnished to learned Counsel Mr. Deshpande and Mr. Bandiwadekar.

4. Adjourned to 08.10.2024.

Sd/-

(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 : 01.10.2024

O.A.No.1182 of 2024

A.J. Sayyad .Applicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Ms. Tanvi Phatak holding for Ms. S.K. Hande, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. O.A. not on board. Taken on board at the request of learned Counsel Ms. Phatak.

3. Learned Counsel filed praecipe dated 01.10.2024 requesting for withdrawal of present O.A.

4. The praecipe dated 01.10.2024 be taken on record and marked as Exhibit-A. O.A. is allowed to be withdrawn.

5. In view of above, O.A. stands disposed of as withdrawn.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

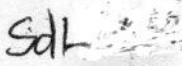
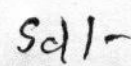
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 align="center"><u>01.10.2024</u></p> <p align="center"><u>O.A 489/2024</u></p> <p>S.S Walke ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.V Kabade, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that affidavit in reply will be filed during the course of the day.</p> <p>3. S.O to 29.10.2024. Interim relief, if any to continue till then.</p> <p align="center">  (Debashish Chakrabarty) Member (A) <small>Akn</small> </p> <p align="center">  (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><u>01.10.2024</u></p> <p><u>O.A 77/2024</u></p> <p>S.R Desai & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R. Khot, learned advocate for the applicant and Smt 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 22.10.2024. Interim relief to continue till then.</p> <p><i>Sdh</i> (Debashish Chakrabarty) Member (A)</p> <p><i>Sdl-</i> (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>