

**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: 01.11.2023</p> <p align="center">O.A. No.1363 of 2023</p> <p>J.R. ShelkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through 'Video-Conference' and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits copy of the letter written by 'District Collector, Raigad' to 'S.D.O., Srivardhan' on 31.10.2023 conveying that the Applicant be relieved from the establishment of 'District Collector, Raigad' to enable him to join on 'Inter District Transfer' in the establishment of 'District Collector, Beed'. Thus, the Applicant is expected to be relieved soon by 'S.D.O., Srivardhan' to enable him to join on 'Inter District Transfer' in the establishment of 'District Collector, Beed'.</p> <p>3. Learned Advocate for the Applicant thereupon stated that this OA No.1363 of 2023 can therefore be disposed off. Thus, as nothing survives in this O.A.No.1363 of 2023, it is disposed off with 'No Order as to Costs'.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</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

O.As.972 to 974/2023

D.E.Sonune

Y.D. Bodamwad

S.D. Ramod

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri Shreyas Deshpande, Learned Advocate holding for Shri M. Golegaonkar, Learned Advocate for the Applicants and Mrs. K.S. Gaikwad, Learned PO for Respondents.

2. The 3 Applicants who are holding the post of Talathi in the office of Sub-Divisional Officer, Mangalwedha, District Solapur have challenged the order dated 19.05.2023 issued by Sub-Divisional Officer, Mangalwedha by which Applicants were placed on Supernumerary Posts with effect from 21.12.2019 for want of validation of their ST Caste Certificates. The Learned Advocate submits that 'Interim Relief' to be granted urgently, as the District Collector, Solapur has issued letter on 09.06.2023 to 16 candidates for Verification of Documents to fill posts of Talathis from the category of Scheduled Tribes including the posts held earlier by the 3 Applicants.

4. The Learned PO submits that the letter issued by District Collector, Satara on 09.06.2023 is pursuant to the implementation of order of Hon'ble High Court of 20.01.2020. She further submits that Hon'ble Supreme Court has recently given directions to the State Government to file its reply to the petition challenging the constitutional validity of the Notification reserving upto 100% posts of Talathis from Scheduled Tribe category in Scheduled Areas.

5. The State Government to inform us by when they are going to fill-up three posts of Talathis in Taluka Mangalwedha which were earlier occupied by these 3 Applicants.

6. The Learned PO submits that she will file Affidavit-in-Reply.

7. S.O. to 28th November, 2023 for 'Interim Relief'.

Sd/-

Sd/-

(Debashish Chakrabarty) / (Mridula Bhatkar, J.)

Member-A
01.11.2023

Chairperson
01.11.2023

(skw)

**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">Date: 01.11.2023</p> <p align="center">O.A. No.909 of 2023</p> <p>S.S. SagwekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Smt. Punam Mahajan, learned Advocate for the Respondent No.2 through 'Video – Conference'.</p> <p>2. Learned Advocate for the Respondent No.2 states that the 'Affidavit-in-Sur Rejoinder' is ready but not affirmed. She further submits that she will ensure that the non-affirmed copy of the 'Affidavit-in-Sur-Rejoinder' is sent to the learned Advocate for the Applicant.</p> <p>3. Learned P.O. states that 'Additional Affidavit-in-Reply' will be filed during the course of the day. Statement is accepted.</p> <p>4. The pleadings would stand completed upon the affirmation of 'Affidavit-in-Sur-Rejoinder' and filing of the 'Additional Affidavit-in-Reply' and thus this OA No.909 of 2023 be admitted and kept for 'Final Hearing'.</p> <p>5. S.O. to 20.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.11.2023</p> <p align="center">O.A. No.423 of 2023 to O.A. No.426 of 2023</p> <p>A.M. Kamble G.Y. Shelke K.G. Wamane S.D. BiranjeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicant through 'Video-Conference' and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that there are other instances of about 15 'Constables' and 'Constables-cum-Drivers' working in the establishment of 'Superintendent of State Excise, Pune' who were initially transferred to establishments of other 'Superintendent of State Excise' but subsequent to their request were again brought back to the establishment of 'Superintendent of State Excise, Pune' al though it is not known whether all these transfers were initially effected on the ground that 'Reserved Posts' based on 'Roster Register' certified by the 'Assistant Commissioner of BC Cell' was not available in respect of these 15 'Constables' and 'Constable-cum-Drivers'.</p> <p>3. Learned P.O. seeks time to file 'Additional Affidavit-in-Reply' on behalf of the Respondent Nos.2 & 3 wherein it could be necessary to clarify about the contents of earlier 'Affidavit-in-Reply' filed on 25.07.2023 as to why the 'Superintendent of State Excise, Pune' got the 'Roaster Register' certified so belatedly from the 'Assistant Commissioner of Cell'. Further in the case of Constables in O.A. Nos.423/23, 424/23 & 426/23 was it necessary to show them on</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>'Reserved Posts' at the time of initial appointment which were made on 'Compassionate Grounds'; where they could have subsequently been shown against the available 'Reserved Posts' as per certified 'Roaster Register' and thus could have continued to serve in the establishment of 'Superintendent of State Excise, Pune'. Similarly, in the case of the Applicant in O.A. No.425/2023 who was appointed as 'Direct Recruit' to the post of 'Constable Cum Drivers' as to why he was not appointed against 'Reserved Post' as per the certified 'Roster Register' and how is it that he has now been sent on 'Inter District Transfer' on grounds of non-availability of 'Reserved Posts'. The 'Superintendent of State Excise' to also state as to whether at the time of appointment of the Applicants almost 10 years back on 'Compassionate Appointment' or by 'Direct Recruitment' whether the 'Roaster Register' had been certified by the 'Assistant Commissioner BC Cell' and whether no vacancies that arose in the intervening period of 'Reserved Posts' where the Applicants could have been placed and this was discovered only in recent exercise of certification of 'Roster Register' by the 'Assistant Commissioner BC Cell'.</p> <p>4. S.O. to 08.11.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 1221 OF 2023
(VIDEO CONFERENCE)**

DISTRICT : RAIGAD

Prajyot Jayesh Patil)...**Applicant**

Versus

The State of Maharashtra & Others)...**Respondents**

Ms A.D Chate, learned advocate for the Applicant.

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

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 01.11.2023

ORDER

1. The applicant prays that the Respondent No. 2 be directed to cancel the Question No. 11 from Paper Set-A. By way of interim relief, the applicant prays that he be declared entitled for participating in the examination of Police Sub-Inspector Main Examination which is scheduled on 5.11.2023 in view of the order dated 17.1.2018 passed by the Hon'ble High Court, Bombay, Bench at Aurangabad in W.P 672/2018.

2. Learned counsel submitted that the Preliminary Examination was conducted on 30.4.2023 and MPSC published

the first Answer Key on 2.5.2023 and the second Answer Key was published 7.6.2023. The present Original Application was filed on 21.9.2023. M.P.S.C declared the result on 4.9.2023.

3. Learned counsel for the applicant submitted that the Question No. 11 in Paper Set-A that is 'White Revolution started in India from _____ year. The wrong option is provided for the said Question No. 11 and the same be cancelled. Learned counsel relied on the RTI information received from Department of Animal Husbandry, Dairy and Fisheries, wherein it is stated that the operation Flood was launched in the year 1970. She also relied on the information received from National Dairy Development Board dated 28.8.2023. A question was put in which year the White Revolution started in India. Reply is given that Operation flood is synonymous with while revolution and the details can be obtained from the following link: <https://www.nddb.coop/about/genesis/flood>. Learned counsel submitted that on visiting the said link it is mentioned that in the year 1970 the operation flood scheme was started. Thus, to Question No. 11, year 1970 is not mentioned and therefore the Question No. 11 is wrongly set by the Paper Setter, which should have been deleted. Learned counsel submitted that the applicant has attempted the said Question No. 11.

4. Learned counsel for the applicant relied on the following case laws:-

(1) Judgment of the Hon'ble Supreme Court dated 11.12.2017 in Ran Vijay Singh & Ors Vs. State of U.P & Ors, Civil Appeal No. 367/2017.

(2) Interim order of the Hon'ble Bombay High Court, Aurangabad bench dated 17.1.2018 in Shubhangi V. Kedkar Vs. State of Maharashtra & Ors, W.P 672/2018.

(3) Decision of this Tribunal dated 8.2.2022 in O.A 1056/2021 with O.A 82/2022 and also relied on sub rule B of Rule 7 of the M.P.S.C Rules of Procedure, 2014.

5. Learned counsel for the applicant submitted that the applicant lost his chance by 0.25 marks and therefore, he is to be given the benefits and on that point she relied on the decision in the case Shubhangi V. Kedkar Vs. State of Maharashtra & Ors, W.P 672/2018, where the applicant has lost chance by 0.25 marks and the Hon'ble High Court permitted the applicant to fill in the Form. The submissions of the learned counsel for the applicant that it is to be only considered as exceptional circumstances is not acceptable because in competitive examinations the door closes even if a candidate less meritorious secures less than 0.5 marks. The different techniques and methods are applied in such competitive examinations. Therefore, it cannot be considered as an exceptional circumstance. Moreover, in the interim order passed in the case of Shubhangi V. Kedkar (supra) is not useful to the applicant as on the facts, the said order is silent.

6. Learned C.P.O produced the opinion given by the Expert wherein it is stated as under:-

“Given option (01) is correct as Operation Flood started in 1970, but impact of this was visible in 1971, which people started calling as ‘White Revolution’ Further near to operation flood which started in 1970, nearest answer is 1971 and it is given in reference.”

7. Learned C.P.O relied on the Judgment of the Hon'ble Supreme Court dated 11.12.2017 in Ran Vijay Singh & Ors Vs. State of U.P & Ors, Civil Appeal No. 367/2017 and also the



decision of the Hon'ble Bombay High Court dated 4.10.2022, in W.P 8832/2022, M.P.S.C Vs. Jankraj M. Gund

8. In the case of **RAN VIJAY SINGH's** case, the Hon'ble Supreme Court observed as under:-

“30. The law on the subject is therefore, quite clear and we only propose to highlight a few significant conclusions. They are: (i) If a statute, Rule or Regulation governing an examination permits the re-evaluation of an answer sheet or scrutiny of an answer sheet as a matter of right, then the authority conducting the examination may permit it; (ii) If a statute, Rule or Regulation governing an examination does not permit re-evaluation or scrutiny of an answer sheet (as distinct from prohibiting it) then the Court may permit re-evaluation or scrutiny only if it is demonstrated very clearly, without any “inferential process of reasoning or by a process of rationalisation” and only in rare or exceptional cases that a material error has been committed; (iii) The Court should not at all re-evaluate or scrutinize the answer sheets of a candidate – it has no expertise in the matter and academic matters are best left to academics; (iv) The Court should presume the correctness of the key answers and proceed on that assumption; and (v) In the event of a doubt, the benefit should go to the examination authority rather than to the candidate.”

9. I rely on the ratio in the case of **M.P.S.C Vs. Jankraj M. Gund (supra)**, the Hon'ble High Court held as under:-

“16. In our view, we have perused the judgment of the Supreme Court in the case of **Ran Vijay Singh and others (supra)**. It is clearly held by the Supreme Court that the Court cannot at all reevaluate or scrutinize the answer sheet of a candidate. It has no expertise in the matter and such academic matters are best left to the academic experts. The Court should presume the correctness of the answer keys and proceed on that assumption. In the event of doubt, the benefit should go to the examination authority rather than to the candidate. The Supreme Court further held in the judgment that, while there is no doubt that the candidates put in tremendous effort in preparing for the examination, it must not be forgotten that even the examination authorities

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put in equal efforts to successfully conduct the examination. The entire examination process does not deserve to be derailed only because some candidates are disappointed or dissatisfied or perceive some injustice having been caused to them by an erroneous question or by some erroneous answers. All candidates suffer equally, though some might suffer more but that cannot be helped since mathematical precision is not always possible.”

10. Further, the applicant had approached the Tribunal at a late stage when all the results were out and the next process is at threshold. Also, when the second Answer Key was published on 7.6.2023, the applicant should have immediately rushed to the Tribunal. At this stage, it is not judicious on our part to consider the grievances of the applicant and grant him interim relief.

11. Thus, the prayer of the applicant for grant of interim relief is rejected.

12. S.O to 1.12.2023.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 01.11.2023
Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center">Date: 01.11.2023</p> <p align="center">O.A. No.1129 of 2023</p> <p>T.N. DaundkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri M.D. Lonkar, learned Advocate for the Respondent No.3. Shri S. Deshpande, learned Advocate for the Respondent No.2 is absent.</p> <p>2. Learned P.O. files 'Affidavit-in-Reply' dated 27.10.2023 on behalf of Respondent No.1 to the amended portion of O.A. It is taken on record. In 'Affidavit-in-Reply it is mentioned that the 'Order of Promotion' of the Applicant has been cancelled by Finance Department on 27.09.2023. She further states that as per the liberty given to Finance Department by order dated 26.10.2023, they are in the process of considering the subsequent course of action with regard to continuation of the Applicant on the post of 'Chief Accounts & Finance Officer, Transport undertaking, Navi Mumbai Municipal Corporation (NMMC)' and therefore seeks 'Three Weeks' time. Accordingly it is directed that appropriate decision in this regard be taken by the 'Finance Department' within 'Three Weeks'.</p> <p>3. S.O. to 22.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</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

Date: 01.11.2023

O.A. No.1329 of 2023 to O.A. No.1332 of 2023

R.P. Jadhav,
D.B. Choudhari,
B.S. Tachale,
V.A. KaleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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


2. Learned P.O. has filed 'Affidavit-in-Reply' on behalf of the Respondent Nos.1 to 3. It is taken on record.

3. Learned P.O. states that District Collector, Pune was informed by order dated 30.10.2023 that since subject of establishment of 'Talathi Cadre' has been transferred to 'District Collectors' by Revenue & Forest Department G.R. dated 17.09.2023. The 'Memorandum' dated 01.01.2023 issued by the 'S.D.O., Pune, District Pune' and Order dated 01.01.2023 issued by 'Tahsildar Shrirur' District Pune would amount to exercise of authority beyond the realm of guidelines and should be forthwith withdrawn and therefore appropriate orders be issued in this regard by 'District Collector, Pune'.

4. Learned P.O. therefore seeks time to take instruction from District Collector, Pune whether any such directions have been issued to 'S.D.O., Pune, District Pune' and 'Tahsildar Shrirur, District Pune'.

5. S.O. to 08.11.2023 Final Hearing (P.H.).

6. Hamdast granted.

Sd/-

(Debashish Chakrabarty)
Member (A)

**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>Date: 01.11.2023 O.A. No.708 of 2023</p> <p>M.S. NaikApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. R.S. Sinhasane, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that letter has been received from 'Resident Deputy Collector, Kolhapur' dated 31.10.2023 informing that due to certain situation of 'Law and Order' in Kolhapur they are not able to remain present and file their 'Affidavit-in-Reply', and therefore have sought time to file 'Affidavit-in-Reply'. Time as prayed for is granted to learned PO to affirm the 'Affidavit-in-Reply' on behalf of 'District Collector, Kolhapur'.</p> <p>3. S.O. to 07.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.1362/2023</u></p> <p>U.P. Chorghe ...Applicant Vs. The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri K.R. Jagdale, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for the Respondents.</p> <p>2. The Applicant is challenging the DE initiated vide charge-sheet dated 02.07.1997.</p> <p>3. The Learned Advocate for the Applicant submits that twice the Enquiry Officer was appointed and in 2007 last, the Enquiry Officer attended the matter and thereafter nothing happened. The age of Applicant is 70 years. He retired on 30.09.2012.</p> <p>4. Pursuant to our order in O.A.No.564/2023, we draw attention of Chief Secretary, Government of Maharashtra to the issue of long pending Departmental Enquiries both in Cases of serving and retired Government Servants. The cases of retired Government Servants in particular are not finalized on time and there are extreme instances such as in this OA where there is very serious unexplained delay, as Departmental Enquiry was initiated on 02.07.1997 is still pending.</p> <p>5. Today is the first date, so we call upon the Respondents to give reasons for the unexplained delay in completing the Departmental Enquiry.</p> <p>6. S.O. to 3rd November, 2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A Chairperson 01.11.2023 01.11.2023</p> <p>(skw)</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 style="text-align: center;"><u>O.A.1019/2023</u></p> <p>Dr. M.P. Chavan ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri U.V. Bhosle, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Learned CPO files Affidavit-in-reply today. It is taken on record.</p> <p>3. Matter is fixed on 23rd November, 2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A / Chairperson 01.11.2023 / 01.11.2023</p> <p>(skw)</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 style="text-align: center;"><u>O.A.1025/2023</u></p> <p>H.A. Marnoor ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Learned Advocate for the Applicant seeks time to file Rejoinder. Time Granted.</p> <p>4. S.O. to 29th November, 2023.</p> <p style="text-align: center;"> Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 01.11.2023 01.11.2023 </p> <p>(skw)</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 align="center"><u>O.A.226/2023</u></p> <p>H.A. Marnoor ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri S.S. Gosavi, Learned Advocate for the Applicant sent Leave Note. Heard Mrs. K.S. Gaikwad, Learned PO for Respondents.</p> <p>2. The Learned PO submits that in this matter, the issue of debaring the degree-holders in the recruitment process for the post of Surveyor in view of the Rules published in Government Gadget dated 17.12.2011. She further submits that this issue is already decided by this Tribunal in O.A.No.1159/2022 on 23.11.2022 and the said order is confirmed by Hon'ble High Court on 09.01.2023 in Writ Petition (Stamp) No.31643/2022. Hence, the issue is no more res-integra.</p> <p>4. We therefore call upon Advocate Shri Gosavi with the submissions and shall remain present on next date.</p> <p>5. S.O. to 7th November, 2023.</p> <p align="center"> Sd/- (Debashish Chakrabarty) Member-A 01.11.2023 </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson 01.11.2023 </p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

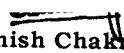

(Advocate

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 style="text-align: center;"><u>O.A.918/2023</u></p> <p>N.K. More ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.</p> <p>2. The Applicant who is working as Additional Commissioner of Police, Motor Transport Section facing the DE dated 26.04.2022.</p> <p>4. We direct that the Enquiry Officer to conclude the enquiry and submit the report till 31st December, 2023 and thereafter within one month, the Disciplinary Authority to take further steps.</p> <p>5. With these directions, OA stands disposed off with no order as to costs.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-  (Debashish Chakrabarty) Member-A 01.11.2023</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson 01.11.2023</p> </div> </div> <p>(skw)</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 style="text-align: center;"><u>O.A.412/2023</u></p> <p>B.P. Patil ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Mrs. Pooja Mankoji, Learned Advocate holding for Shri S.S. Dere, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.</p> <p>2. The Learned PO submits that the Affidavit-in-reply is ready and will be filed during the course of the day.</p> <p>3. S.O. to 6th December, 2023.</p> <p style="text-align: center;"> Sd/- Sd/- </p> <p style="text-align: center;"> (Debashish Chakrabarty) (Mridula Bhatkar, J.) </p> <p style="text-align: center;"> Member-A Chairperson </p> <p style="text-align: center;"> 01.11.2023 01.11.2023 </p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

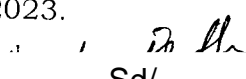

(Advocate

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 style="text-align: center;"><u>O.A.527/2023</u></p> <p>Dr. J.R. Bande ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Affidavit-in-reply is already filed.</p> <p>3. The Learned Advocate for the Applicant seeks time to file Rejoinder. Time Granted.</p> <p>4. S.O. to 29th November, 2023.</p> <p style="text-align: center;">Sd/-  Sd/- </p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A / Chairperson 01.11.2023 / 01.11.2023</p> <p>(skw)</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 style="text-align: center;"><u>O.A.795/2023</u></p> <p>Dr. V.V. Waghmode & Ors. ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri J.S. Deshmukh, Learned Advocate for the Applicants and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. The Learned CPO seeks time to file Affidavit-in-reply. Time Granted.</p> <p>3. S.O. to 28th November, 2023.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A Chairperson 01.11.2023 01.11.2023</p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

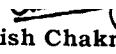
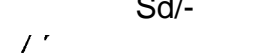
(Advocate

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 style="text-align: center;"><u>O.A.1374/2023</u></p> <p>N.S. Kadari ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri R. Nirmal, Learned Advocate for the Applicant and Mrs. A.B. Kololgi, Learned PO for Respondents.</p> <p>2. The Learned Advocate for the Applicant submits that in the Criminal Trial, the original complainant has submitted the documents in which it is stated that the Applicant has performed the second marriage. The Learned Advocate for the Applicant further submits that on that basis, the Court is likely to alter the charge and on that basis, Section 494 of IPC is added, then the defence in the Criminal Trial is going to be prejudiced as the DE is proceeding.</p> <p>4. The Learned PO opposes granting interim stay to the DE. She submits that DE is going on and it is fixed on 04.11.2023.</p> <p>5. We are of the view of as the charges are different and the witnesses can be same, the DE under such circumstances cannot be stayed.</p> <p>6. S.O. to 29th November, 2023.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p></p> <p>(Debashish Chakrabarty) Member-A 01.11.2023</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p></p> <p>(Mridula Bhatkar, J.) Chairperson 01.11.2023</p> </div> </div> <p style="margin-top: 10px;">(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

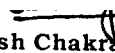

(Advocate)

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 style="text-align: center;"><u>O.A.1309/2023</u></p> <p>S.S. Raskar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Mrs. Punam Mahajan, Learned Advocate for the Applicant and Mrs. K.S. Gaikwad, Learned PO for Respondents.</p> <p>2. Adjourned to 29th November, 2023.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>Sd/-  (Debashish Chakrabarty) Member-A 01.11.2023</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson 01.11.2023</p> </div> </div> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

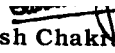
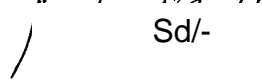
(Advocate)

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 style="text-align: center;"><u>O.A.900/2023</u></p> <p>V.A. Kolekar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Mrs. Punam Mahajan, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Adjourned to 22nd November, 2023.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-  (Debashish Chakrabarty) Member-A 01.11.2023</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson 01.11.2023</p> </div> </div> <p>(skw)</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 style="text-align: center;"><u>O.A.1085/2023</u></p> <p>Dr. K.A. Yadav ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri J.S. Deshmukh, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Adjourned to 28th November, 2023. Interim Relief to continue.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A Chairperson 01.11.2023 01.11.2023</p> <p>(skw)</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 style="text-align: center;"><u>O.A.1066/2023</u></p> <p>U.S. Tejale ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri A.A. Desai, Learned Advocate for the Applicant and Ms. S.P. Manchekar, Learned CPO for Respondents.</p> <p>2. Adjourned to 28th November, 2023.</p> <p style="text-align: center;"> Sd/- Sd/- (Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A Chairperson 01.11.2023 01.11.2023 </p> <p>(skw)</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 style="text-align: center;"><u>O.A.1358/2023</u></p> <p>J.V. Madane ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri L.S. Deshmukh, Learned Advocate for the Applicant, Mrs. K.S. Gaikwad, Learned PO for Respondent Nos.1 to 3 and Shri K.R. Jagdale, Learned Advocate for Respondent No.4.</p> <p>2. The Learned PO seeks time to file Affidavit-in-Reply.</p> <p>4. The Respondent No.3 - Principal of Nursing Medical College is hereby directed to file Affidavit regarding switching over the reservation between NT(C), NT(B) and VJ(A) in DMER and DHS in the admission process of 2023-2024 for M.Sc. Nursing.</p> <p>5. The Respondent No.2 - Director of Medical Education & Research to file Affidavit before next date.</p> <p>6. Matter be fixed on 6th November, 2023 under the caption of 'Urgent Admission'.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (Debashish Chakrabarty) Member-A 01.11.2023</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 01.11.2023</p> </div> </div> <p style="margin-top: 10px;">(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>O.A.390/2023</u>
	<p>P.M. Mire ...Applicant Vs. The State of Maharashtra & Ors. ...Respondents</p> <p>1. Heard Shri K.R. Jagdale, Learned Advocate for the Applicant and Mrs. A.B. Kololgi, Learned PO for the Respondents.</p> <p>2. Last chance to file Affidavit-in-reply.</p> <p>3. S.O. to 13th December, 2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 01.11.2023 01.11.2023</p> <p>(skw)</p>

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

Tribunal's orders

O.A.1395/2023

D.M. Bhoir & Ors.

...Applicants

Vs.

The State of Maharashtra & Ors.

...Respondents

1. Heard Shri K. Jadhav, Learned Advocate holding for Shri R.G. Panchal, Learned Advocate for the Applicant and Mrs. A.B. Kololgi, Learned PO for the Respondents.

2. In this OA, the Applicants are challenging the communication dated 30.06.2023 regarding the issuance of Certificates of 'Daily Wages Worker'.

3. Issue notice returnable on 22.11.2023.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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. 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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.

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. Applicant is directed to file Affidavit of compliance and notice.

8. S.O. to 22nd November, 2023.

Sd/-

(Debashish Chakrabarty)
Member-A
01.11.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
01.11.2023

**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 : 01.11.2023</p> <p align="center">O.A.No.1259 of 2023 (Video Conference)</p> <p>D. K. Jadhav ...Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant prays that by way of interim relief departmental enquiry initiated by charge sheet dated 07.12.2022 is to be stayed and direct the Respondent to release all the pensionary benefits along with interest viz. leave encashment and GIS which are still not released to the Applicant.</p> <p>3. The Applicant stands retired on 31.01.2020 and therefore leave encashment, GIS shall have to be given within three months after retirement in view of Rules 120 to 122 Maharashtra Civil Services (Pension) Rules, 1982 (hereinafter referred to as 'Rules 1982').</p> <p>4. Learned Counsel for the Applicant advances two points to substantiate her prayer for interim relief :- (i) Firstly, as per Rule 27(2) (b) of 'Rules 1982', the enquiry should not be initiated in respect of any event which took place for more than 4 years before such incident. Learned Counsel for the Applicant submits that incident in charge no.1 is beyond four years preceding date of charge sheet dated 07.12.2022 and, therefore, it should be deleted.</p> <p>(ii) Secondly, learned Counsel for the Applicant further submits that there is inordinate delay in issuing charge sheet. In support of her contention, she relies on Circular dated 24.02.1997 wherein G.A.D. has issued specific directions that department should start enquiry immediately and much before the period of retirement and if at all D.E. is initiated, it is to be completed within one year.</p>

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

Tribunal's orders

5. Learned C.P.O. submits that the incident mentioned in charge head no.1 has taken place in December, 2017 and it goes beyond 4 years. However, she prays for exemption of period which was the period of Covid-19 Pandemic Situation. Learned C.P.O. placed reliance on earlier orders of this Tribunal in M.A.No.01/2022 in O.A.04/2022 (C. M. Kadam V/s State of Maharashtra), dated 20.01.2022 and 12.04.2022 and in O.A.04/2022, dated 16.06.2022 and therefore she submits that charge no.1 will stand.

6. Both the learned Advocate for the Applicant and learned C.P.O. are required to find out the position of enquiry under maintainability of enquiry under Section 32 of Representation of the People Act, 1950.

7. S.O. to 03.11.2023.

Sd/-

(~~Debashish Chakrabarty~~)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1172 of 2023</u></p> <p>S.S. Kumbhar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 8.11.2023 for final hearing with liberty to file rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</p> <p>(sgj)</p>

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

Tribunal's orders

M.A. No.440 of 2023 in O.A. No.814 of 2023

Revati A. Kulkarni ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant submits that MA is for condoning the delay of 5 years and one and half months or 7 years and 5 months. Applicant is Assistant Conservator of Forest through direct recruitment in 2011. She underwent her pre-appointment training of 2 years. She was issued order of appointment for probation period of one year. She proceeded on maternity leave between 21.10.2013 and 18.4.2014 (180 days) and postnatal of 60 days. She was wrongly sanctioned Extra Ordinary Leave. She did not challenge this order as it did not effect her service benefits. She was promoted on 31.5.2018. Seniority list was published on 7.3.2019 of Assistant Conservator of Forest. He submits that on the basis of litigation file by some officers at Hon'ble Bombay High Court Bench at Aurangabad and Hon'ble Supreme Court, the Govt. issued seniority list dated 11.5.2023 in which she is shown below.

3. Ld. PO objects to MA stating that applicant should have rightly challenged the grant of Extra Ordinary Leave within time.

4. However, looking into the unusual circumstances of this case, I condone the delay. OA will be heard on merits. MA disposed off accordingly.

Sd/-
(Medha Gadgil)
Member (A)
1.11.2023

(sgl)

**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.995 of 2023</u></p> <p>D.D. Sherkhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. It is noticed that despite our earlier orders nobody is present from the office of Collector, Solapur in this matter. A responsible officer along with details in this matter is directed to remain present on the next date.</p> <p>3. S.O. to 6.11.2023. High on board.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</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>Date : 01.11.2023</p> <p>O.A.No.82 of 2023</p> <p>B. M. Makwana & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. V. Thorat, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Place for final hearing on 23.11.2023. Interim relief to continue till next date.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>vsm</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>Date : 01.11.2023</p> <p>O.A.No.899 of 2023 with M.A.570 of 2023 in O.A.681 of 2023 (Video Conference)</p> <p>C. R. Pol A.S. AllewarApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. S.O. to 03.11.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) Member (A)</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</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 Cases, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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CA.41/2021 in OA.1052/2016 with
MA.700/2019 in RA.23/2019 in OA.1052/2016

V.S. Patil
V.S. Kalekar ..Applicants
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.

2. Ld. Advocate for the applicants submits that order of the Tribunal is challenged in the Hon'ble High Court and writ petition is pending. He therefore prays that it may be adjourned sine die.

3. We place this matter on 31.1.2024.

Sd/-

(Medha Gaikwad)
Member (A)
1.11.2023

(sg)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
1.11.2023

**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 Courts, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.147 of 2021</u></p> <p>G.R. Chavan & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Presenting Officer for the Respondents.</p> <p>2. Ld. CPO prays for permission to reconstruct the OA as the same is misplaced in the office of Ld. CPO.</p> <p>3. Permission granted.</p> <p>4. S.O. to 6.11.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 1.11.2023 1.11.2023</p> <p>(sgj)</p>

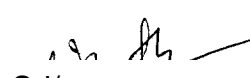
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO. _____

Office Notes, Office Memoranda of Cases, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	<p align="center"><u>C.A. No.80 of 2022 in O.A. No.879 of 2015</u></p> <p>G.P. Wadekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Advocate for the applicant is not present.</p> <p>2. We request Shri Mahiskar, Principal Secretary, Public Health Department to pursue the matter for approval of the Hon'ble Chief Minister.</p> <p>3. S.O. to 3.11.2023.</p> <p align="right">Sd/- </p> <p align="center">Sd/-</p> <table border="0"> <tr> <td>(Medha Gadgil) Member (A) 1.11.2023</td> <td>(Mridula Bhatkar, J.) Chairperson 1.11.2023</td> </tr> </table> <p>(sgj)</p>	(Medha Gadgil) Member (A) 1.11.2023	(Mridula Bhatkar, J.) Chairperson 1.11.2023
(Medha Gadgil) Member (A) 1.11.2023	(Mridula Bhatkar, J.) Chairperson 1.11.2023		

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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C.A. No.83 of 2023 in O.A. No.166 of 2018

S.P. Jedhe ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Purva Pradhan holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. CA is filed for implementation of the order dated 14.12.2022 passed in the above OA. Ld. PO seeks time to file affidavit in reply.

3. Issue contempt notice to the respondents.

4. S.O. to 23.11.2023.

Sd/-

(Medha Gadgil)
Member (A)
1.11.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
1.11.2023

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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C.A. No.86 of 2023 in O.A. No.599 of 2023
with
C.A. No.87 of 2023 in O.A. No.598 of 2023

Dr. D.D. Patil
Dr. C.S. Lone ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Shri J.S. Deshmukh, Ld. Advocate for the applicant submits that due to Riots on account of Maratha Reservation, he is unable to come from Aurangabad and has requested for adjournment.

3. S.O. to 29.11.2023.

Sd/-

(Medha Gadgil)
Member (A)
1.11.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
1.11.2023

**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 Cases, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.88 of 2023 in O.A. No.110 of 2020</u></p> <p>A.S. Azami @ S. Nadeem ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Sonali Humane holding for Ms. Ranjana Todankar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri A.I. Kundan, Principal Secretary is requested to pursue the matter personally.</p> <p>3. S.O. to 28.11.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A) 1.11.2023 (sg)</p> <p align="center">Sd/-</p> <p align="center">/ (Mridula Bhatkar, J.) Chairperson 1.11.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.101 of 2023 in O.A. No.997 of 2017</u></p> <p>A.K. Gharat ..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. Ld. CPO submits that Law & Judiciary Department has taken a decision not to challenge the order of this Tribunal in Hon'ble High Court and they are going to implement order passed by this Tribunal on 28.6.2023. They should have complied within two months i.e. on or before 29.8.2023 as per order. However, four months are over. Hence, we grant two months time i.e. the order should be complied on or before 30.12.2023.</p> <p>3. S.O. to 3.1.2024.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 1.11.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 1.11.2023</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 align="center"><u>O.A. No.1091 of 2016</u> (Through Video Conferencing)</p> <p>A.G. Phulsange ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. We direct the Ld. Advocate for the applicant to email the written submissions to the Ld. CPO.</p> <p>3. Ld. CPO submits that the respondents are relying only on the reply given in 2017 and 2020 and no reply is filed thereafter.</p> <p>4. S.O. to 2.11.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 1.11.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 1.11.2023</p>

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

Tribunal's orders
M.A. No.678 of 2023 in O.A. No.564 of 2023
(Through Video Conferencing)

S.D. Shelke ..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. In this matter the prayer is made for quashing and set setting aside the DE initiated on 15.10.2022 and also directions are sought against the respondents to release all the pensionary benefits of the applicant along with interest. In this matter reply is filed. This MA is moved for grant of interim relief. The matter is admitted and now shown under the caption of Final Hearing. Ld. Advocate prays that DE be stayed pending OA. Ld. Advocate submits that the incident for which DE is initiated is of 2008-09 and DE is initiated on 15.2.2022. She prays for quashing of the enquiry on account of inordinate delay.

3. We would like to draw the attention of Chief Secretary pursuant to our order dated 31.10.2023 passed in OA No.988/2023 about inordinate delay in initiating or conducting the DE. In this matter the incident is of 15.2.2022. The applicant retired on 31.5.2022. Enquiry officer is appointed on 7.11.2022. Ld. Advocate for the applicant submits that enquiry officer has not done anything till today. On perusal we find there are 56 charges including of corruption, misappropriation and misuse of power.

4. Ld. Advocate for the applicant relies on the affidavit in reply dated 28.7.2023 filed by Ms. Sarita Deshmukh, Joint Secretary, Agriculture, Animal Husbandry, Dairy Development & Fisheries Department. She relies on para 10 & 13 of the reply and submits that there are no illegalities shown in the report of Justice Gaikwad Committee and Justice Karandikar Committee.

5. Applicant is directed to serve the department on their email id which is given at the foot of the affidavit in reply.

6. S.O. to 3.11.2023.

Sd/-

(Medha Gadgil)
Member (A)
1.11.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
1.11.2023

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.814 of 2023</u></p> <p>Revati A. Kulkarni ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 4.12.2023. The respondents are directed to file reply. I.d. PO waives service of notice.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within 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: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</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><u>O.A. No.1037 of 2019 & 9 Ors.</u></p> <p>1. Dr. G.B. Taware (OA.1037/2019) 2. Dr. V.A. Nadimath (OA.1039/2019) 3. Dr. P.M. Sharebkausar (OA.1040/2019) 4. Dr. N.B. Masaram (OA.1041/2019) 5. Dr. V.P. Doijad (OA.1042/2019) 6. C.G. Patil (OA.1237/2019) 7. Dr. M.M. Pawar (OA.1238/2019) 8. Dr. P.R. Dhumal (OA.1239/2019) 9. Dr. P.N. Rathi (OA.1240/2019) 10. Dr. A.B. Pandav (OA.1241/2019)</p> <p align="right">..Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Smt. Punam Mahajan, learned Advocate for the Applicants in Sr. No.1 to 5, for Shri K.B. Bhise, learned Advocate for Applicants in Sr. No.6 to 10 and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Interim relief granted by order dated 24.10.2019 to continue.</p> <p>3. S.O. to 20.11.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 1.11.2023</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.1355 of 2023</u></p> <p>R.M. Nayngonde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 21.11.2023 for considering the submissions for grant of interim relief.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</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.1318 of 2023</u></p> <p>R.B. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO to verify whether the matter is covered by the judgment of this Tribunal dated 22.12.2022 in OA No.964/2022 and W.P. No.7636/2023 decided on 22.6.2023.</p> <p>3. S.O. to 22.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1073 of 2023</u></p> <p>Dr. S.S. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji h/f Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for Respondent No.1</p> <p>2. Ms. Anjali Gholapkar Ld. Advocate holding for Shri Ashish Gaikwad states that she has filed Vakalatnama on behalf of respondents no.2 & 3 on 9.9.2023. She seeks time to file reply.</p> <p>3. Ld. PO on instructions from the officer present in the Court submits that they have issued notice for recovery.</p> <p>4. Ld. PO to file reply. If no reply is filed the submissions for interim relief will be considered.</p> <p>5. S.O. to 23.11.2023 by way of last chance.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</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.1000 of 2023</u></p> <p>D.M. Pujari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 30.10.2023 of respondents no.1 & 2.</p> <p>3. Admit.</p> <p>4. S.O. to 1.12.2023 for final hearing with liberty to file rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.986 of 2023</u></p> <p>R.B. Borhade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files rejoinder.</p> <p>3. Admit.</p> <p>3. S.O. to 30.11.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Medha Vadgi) Member (A) 1.11.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.As. No.914, 921, 922, 947 & 956 of 2023</u></p> <p>A.E. Kerure D.B. Kadge & Ors. S.M. Wazarkar B.U. Patil D.N. Mirajkar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants files chart giving the status of the retirement benefits received by all the applicants.</p> <p>3. Ld. PO to file reply</p> <p>4. S.O. to 8.11.2023 only for filing reply. Interim relief, if any, to continue.</p> <p>5. To be heard along with OA No.1347/2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.843 of 2023</u></p> <p>V.S. Tikole ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.B. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO hands over copy of reply to Ld. Advocate for the applicant.</p> <p>3. S.O. to 23.11.2023 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Medhá Gadgí) Member (A) 1.11.2023</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.As. No.833 & 834 of 2023</u></p> <p>A.Y. Ilager P.S. Kuchekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits a copy of order dated 14.9.2023 by which Shri P.S. Kuchekar, applicant in OA No.834/2023 is to be given basic subsistence allowance.</p> <p>3. S.O. to 21.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</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.573 of 2023</u></p> <p>P.R. Gurav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 10.10.2023 of respondent no.3.</p> <p>3. S.O. to 30.11.2023 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.1396 of 2023
<p>S.A. Sutar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that applicant working as Forester, Bhirvande, Kankavli, Sindhudurg is suspended by order dated 27.10.2023. He challenges the said order on the grounds that Dy. Conservator of Forest, who has issued the order of suspension is not the appointing authority and he is not competent to issue the suspension order and he has failed to communicate to the appointing authority the circumstances under which the suspension order was issued.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 8.11.2023. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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>8. 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>Sd/- (Medha Gadgil) Member (A) 1.11.2023</p>

(sgj)

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.1392 of 2023</u></p> <p>D.V. Tawde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 7.12.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within 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: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</p> <p>(sgj)</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>M.A. No.665 of 2023 in O.A. No.1378 of 2023</u></p> <p>S.N. Bhimale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <ol style="list-style-type: none"> 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 in MA on 6.12.2023. 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 MA and 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. 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 MA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the MA shall stand dismissed. <p style="text-align: right;">Sd/- (Medhã Gadgil) Member (A) 1.11.2023</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>M.A. No.664 of 2023 in O.A. No.1377 of 2023</u></p> <p>V.D Khade & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 1.11.2023</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.1377 of 2023

V.D. Khade & Anr. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Pooja Mankoji holding for Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule, learned 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 6.12.2023. 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 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.

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 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/-

(Medha Gadgil)

Member (A)

1.11.2023

(sg)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.11.2023</p> <p align="center">O.A. No.1319 of 2023</p> <p>V.A. LokareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Smt. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Respondent No.3.</p> <p>2. Learned P.O. has filed 'Affidavit-in-Reply' on behalf of the Respondent No.1. It is taken on record.</p> <p>3. Learned Advocate for the Respondent No.3 seeks time to file 'Affidavit-in-Reply' on behalf of the Respondent No.3 to the 'Affidavit-in-Reply' filed on behalf of Respondent No.1.</p> <p>4. Learned Advocate for the Applicant also seeks time to file 'Affidavit-in-Rejoinder', if any on behalf of the Applicant.</p> <p>5. S.O. to 08.12.2023</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p> <p align="right">[P.T.O.]</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 Date: 01.11.2023
	<p align="center">O.A. No.1130 of 2023</p> <p>S.G. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Ms. Sairuchita Chowdhary, learned Advocate holding for Shri S. Jagtap, learned Advocate for the Respondent No.2.</p> <p>2. Learned Advocate for the Respondent No.2 in O.A. 1130/2023 and petitioner in Writ Petition No.13096/2023 submits the order of the Hon'ble High Court dated 23.10.2023. The Hon'ble High Court in its order has mentioned in Para 4 "<i>However, as of today, we do not find that the Tribunal has confirmed the order after hearing the version of the Petitioner. On 10 October 2023, when the matter came up before the Tribunal, the objection of the Petitioner for continuation of the interim relief was noted and the matter was adjourned on 26 October 2023. The Petition is entirely premature and needless. Therefore, at this stage, we are not inclined to interfere.</i>" and in Para 5 "<i>We have no doubt that on 26 October 2023, when the Tribunal will take up the proceedings, it will consider the Petitioner's version and then pass necessary orders as per law. Since we have not issued notice to Respondent No.3 in this Petition, while we dispose of the Petition, we keep all contentions of the parties open.</i>"</p> <p>3. Learned Advocate for the Respondent No.2 in O.A. No.1130/2023 was accordingly heard at length in observance of the order of the Hon'ble High Court in Writ Petition No.13096/2023 dated 23.10.2023. She initially argued about the maintainability of the O.A. No.1130/2023. Further, she stated that by 'Urban Development Department' Order dated 30.06.2021 the Applicant had been posted only for period of 'One Year' on the 'Deputation Post' of 'Chief Executive Officer,^{P.T.O.}</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Smart City Development Corporation Ltd, Nashik'. She further stated that the Applicant therefore has served for much longer on the 'Deputation Post' although there was no order of the 'Urban Development Department' after 30.06.2021 to extend his tenure of Deputation Period beyond 'One Year'. Learned Advocate for the Respondent No.2 then stated that he has been posted on post of 'Chief Executive Officer, Smart City Development Corporation Ltd' by Urban Development Department Order dated 29.08.2023 and could not join on the post because of 'Interim Relief' granted on 31.08.2023. She further in support of her arguments to vacate order of 'Interim Relief' granted on 31.08.2023, submitted copies of orders of the Hon'ble High Court in (i) Writ Petition No.7679/2023 dated 28.06.2023 and (ii) Writ Petition No.10015/2023 dated 28.07.2023.</p> <p>4. Learned Advocate for the Applicant states that he should be given opportunity to respond to the submissions made by learned Advocate for the Respondent No.2 to vacate the order of 'Interim Relief' granted on 31.08.2023, sought 'One Day' time. Learned Advocate for the Applicant then states that today itself he will file Affidavit-in-Reply to the Application submitted by the learned Advocate for Respondent No.2 on 26.10.2023.</p> <p>5. Learned P.O. states that he has received some further instructions from the Urban Development Department with regard to the 'Transfer Order' dated 29.08.2023 of the Respondent No.2 posting him as 'Chief Executive Officer, Smart City Development Corporation Ltd, Nashik' and he would like to place on record relevant 'File Notings'. Further learned P.O. also seeks time to file 'Affidavit-in-Reply' on behalf of the Respondent No.1.</p> <p>6. Learned Advocate for the Applicant will be heard tomorrow on the issue of continuation of 'Interim Relief'.</p> <p>7. 'Interim Relief to continue till 'Next Date'.</p> <p>8. S.O. to 02.11.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.11.2023</p> <p>O.A. No.936 of 2023 with O.A. No.1051 of 2023 to O.A. No.1055 of 2023 with O.A. No.1136 of 2023 with O.A. No.1137 of 2023 with O.A. No.1142 of 2023 with O.A. No.1122 of 2023 with O.A. No.1123 of 2023 with O.A. No.1199 of 2023 with O.A. No.1113 of 2023</p> <p>M.A. Kanwar & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents Physically.</p> <p>2. Learned P.O. seeks 'Four Weeks' time to file 'Affidavit-in-Reply'. Time as prayed is granted.</p> <p>3. 'Interim Relief' to continue till 'Next Date'.</p> <p>4. S.O. to 06.12.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.11.2023</p> <p align="center">O.A. No.1273 of 2023</p> <p>Dr. S.S. DeshmukhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents Physically.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. O.A. No.1273/2023 be tagged along with O.A. No.936/2023 on 01.12.2023.</p> <p>4. S.O. to 01.12.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.11.2023</p> <p align="center">O.A. No.789 of 2023 with O.A. No.790 of 2023</p> <p>S.M. Medhe P.A. SawantApplicant 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. On request of learned P.O. 'One Week' time is granted to file 'Affidavit-in-Reply' on behalf of the Respondent by way of last chance.</p> <p>3. S.O. to 08.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.11.2023</p> <p align="center">O.A. No.825 of 2023</p> <p>S.M. Sarangdhar & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. files 'Affidavit-in-Reply' on behalf of the Respondent No.1. It is taken on record.</p> <p>3. Learned P.O. seeks time to file 'Affidavit-in-Reply' on behalf of the Respondent No.2 & 3. Time as prayed is granted.</p> <p>4. S.O. to 06.12.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 01.11.2023</p> <p align="center">O.A. No.1056 of 2023</p> <p>N.P. TummevarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that the Applicant has been permitted by 'Deputy Director, Land & Records, Konkan Division, Mumbai' to join back on the post of 'Headquarter Assistant in the office of 'Deputy Superintendent of Land & Records, Bhiwandi' on 31.10.2023.</p> <p>3. Learned P.O. submits letter from the office of 'Deputy Director, Land & Records, Bhiwandi' which also states that the Applicant has joined the post of 'Headquarter Assistant' on 31.10.2023.</p> <p>4. Learned Advocate for the Applicant seeks time to file 'Affidavit-in-Rejoinder' on behalf of the Applicant on the 'Affidavit-in-Reply' filed by the Respondent No.2.</p> <p>5. S.O. to 28.11.2023.</p> <p align="right">Sd/-  (Debashish Chakrabarty) Member (A)</p> <p>NMN</p> <p align="right">[P.T.O.]</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 Circumstances, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1114 of 2016</u></p> <p>B.M. Sonawane & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Smt. Uma K. Surwade, EO, Govt. Pleader, Original Side and Smt. Nirmala S. Shrirame, EO, Govt. Pleader, Appellate Side, High Court, Bombay are present.</p> <p>3. OA No.1105/2016 was filed by 4 applicants working as Clerk in the Original Side of Bombay High Court and they got protection from Court and thus neither their services were terminated nor notices were issued to them. Till today 3 Clerks out of 4 are working from 2016. Today it is informed that 8 posts are vacant on the Original Side of the office of Govt. Pleader, High Court, Bombay and on 27.9.2023 requisition was sent to MPSC by OS for 8 posts of Clerk and by Appellate Side for 7 posts of Clerk.</p> <p>4. Original Side and Appellate Side of Govt. Pleader, High Court, Bombay to file affidavit as to how many candidates were sent by MPSC and how many are still working from 2016 to 2023. Ld. PO seeks time.</p> <p>5. S.O. to 7.11.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 1.11.2023 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 1.11.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1244 of 2022</u></p> <p>S.G. Kochure ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that affidavit in sur-rejoinder will be filed during the course of the day showing when immediate senior was promoted.</p> <p>3. S.O. to 23.11.2023.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 1.11.2023 (sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 1.11.2023</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.401 of 2022

A.J. Bavaskar ..Applicant
 Vs.
 The State of Maharashtra & Ors. ..Respondents

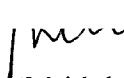
Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Pursuant to order dated 20.10.2023, Ld. CPO submits that Respondent-State will file affidavit in respect of interpretation of clause 1(d) of GR dated 21.12.2019.

3. S.O. to 7.11.2023.

Sd/-
 (Medha Gadgil)
 Member (A)
 1.11.2023

(sgj)

Sd/- 
 (Mridula Bhatkar, J.)
 Chairperson
 1.11.2023

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

Tribunal's orders

C.A. No.76 of 2023 in O.A. No.110 of 2023
(Through Video Conferencing)

P.F. Rathod ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.B. Jadhav, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. This matter is taken on Video Conferencing. However, this Tribunal is not fully equipped with requirements for Video Conferencing. The arguments at Bar or the submissions of the parties is not audible to the advocates appearing on Video Conferencing. It is difficult for us to work as interpreter or to convey the arguments or the submissions made by the Ld. Advocates and Ld. PO on Video Conferencing.

3. Dr. Sangita Ghumatkar, Director, Forensic Science Laboratories, Mumbai, Shri Sudhakar Yadav, Under Secretary, Home Department, Mantralaya, Mumbai and Dr. Mulani, Assistant Director, Forensic Science Laboratories, Mumbai are personally present in the Court.

4. Ld. PO on instructions from Dr. Sangita Ghumatkar submits that applicant was working as Administrative Officer and having the charge of DDO in Directorate of Forensic Laboratories. He did not send the service book of himself and other employees to the Pay Verification Unit who are going to retire within stipulated time it was difficult for the department to verify the same. The applicant retired on 30.4.2020 and enquiry was initiated on 29.10.2021.

5. It is found that the judgment and order dated 9.6.2021 passed by this Tribunal in the above OA is required to be implemented. Dr. Sangita Ghumatkar, Director, Forensic Science Laboratories, Mumbai, who is present in the Court, submits that in view of the concerned rules of MCS (Pension) Rules, 1982, the order of the Tribunal dated 9.6.2021 will be implemented within two months from today i.e. on or before 31.12.2023. Ordered accordingly. CA disposed off.

Sd/-

Sd/-
(Medha Gadgil)
Member (A)
1.11.2023

J'
(Mridula Bhatkar, J.)
Chairperson
1.11.2023

(sgj)

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

Tribunal's orders

01.11.2023

**M.A 391/2023 in O.A 1258/2022 with M.A
390/2023 in O.A 1257/2022**

S.D Walunj & Ors
S.S Pawar & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned counsel submits that Applicant No. 1, Shri S.D Walunj who is working as Assistant Librarian, since 2016 and Applicant No. 3, Shri A.P Jindam, who is working as Junior Clerk, advertisement for the said post was issued by Respondents through M.P.S.C on 30.4.2023 and 10.5.2023 respectively. The results of the said Examination are declared and documents verification is going on. Learned counsel submits that as the applicants are still working on these posts he prays that the applicants be continued till final disposal of the Original Application.

3. Learned Presenting Officer submits that the Respondents have followed the proper procedure of filling up the posts. Learned P.O further submitted that the Applicant No. 1, Mr S.D Walunj appeared for the examination and he is not selected and Applicant No. 2, Mr A.P Jindam, did not appear for the examination. Learned P.O submits that no advertisement is issued in respect of Applicant No. 2, for the post of Counsellor and Applicant No. 4, for the post of Nursing Tutor.

4. Learned P.O submits that Misc Application be disposed of as the relief prayed in respect of Applicants No 2 & 4 is premature.

5. As the Applicants No. 1 & 3 are still working, we direct the Respondents to allow the Applicants No 1 & 3 to continue on their respective post till regularly selected candidate is appointed.

6. Accordingly, M.A 391/2023 stands disposed of.

7. M.A 390/2023 in O.A 1257/2022 with O.A 1258/2022 be placed on Board on 28.11.2023.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

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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
	<p>01.11.2023</p> <p align="center"><u>M.A 564/2023 in O.A 678/2023 with Caveat</u> <u>Application No. 11/2023</u></p> <p>Smt Taramati S. Taji ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.G Panchal, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for Respondent No. 3 and Smt K.S Gaikwad, learned P.O for the Respondents No 1 & 2.</p> <p>2. The applicant, working as Assistant Teacher (Technical) challenges the termination order dated 19.5.2023, passed by Respondent No. 1.</p> <p>3. Learned counsel submits that the applicant is working since 14.1.2021. Learned counsel submitted that the services of the applicant cannot be terminated even though she was working on probation in view of clause 6 of the G.R dated 29.2.2016.</p> <p>4. Learned P.O seeks time to file reply.</p> <p>5. S.O to 6.11.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="right">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>01.11.2023</u></p> <p style="text-align: center;"><u>M.A 521/2023 in O.A 329/2023</u></p> <p>Angad R. Jadhavar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Anil Kumar Mathe i/b Archana P. Gaikwad, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the applicant retired from the post of Deputy Superintendent of Police on 28.2.2022 and departmental enquiry is initiated against the applicant by issuing charge sheet on 23.3.2022. Learned counsel submits that departmental enquiry is initiated for the incident dated 28.5.2020. Learned counsel further submitted that no sanction is granted by the Government for initiating departmental as contemplated under Rule 27(2)(b)(i) of the Maharashtra Civil Services (Pension) Rules, 1982.</p> <p>3. Learned counsel for the applicant relied on the decision of the Hon'ble Bombay High Court dated 18.1.2022 in Dr Dipak V. Muley Vs. State of Maharashtra & Ors, W.P 11955/2018.</p> <p>4. A query is put to the learned P.O as to whether sanction was given by the Government to initiate departmental enquiry against the applicant.</p> <p>5. Learned P.O seeks time to take instructions and file reply as to whether sanction was given by the Government to initiate departmental enquiry against the applicant.</p> <p>6. S.O to 7.11.2023.</p> <p style="text-align: right;">Sd/- <i>(Signature)</i> Sd/-</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No.

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DISTRICT

..... Applicant/s

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..... 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>01.11.2023</u></p> <p><u>M.A 649/2023 in O.A 536/2021</u></p> <p>Savita Bhaskar Sonawane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.G Panchal, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that reply is filed in the Original Application and seeks time to file reply in the Misc Application.</p> <p>3. S.O to 4.12.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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DISTRICT

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>01.11.2023</u></p> <p align="center"><u>M.A 679/2023 in O.A 874/2023</u> <u>(Video Conferencing)</u></p> <p>Avadhut Anil Raut ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The present Misc Application is filed seeking to amend the Original Application as per Annexure M1, i.e., to add Respondents No 6 & 7 in the array of the Original Application.</p> <p>3. Amendment allowed. Amendment to be carried out within one week and copy be served on the other side thereafter within two weeks.</p> <p>4. Misc Application stands disposed of.</p> <p>5. Original Application No. 874/2023 be placed on Board on 22.11.2023.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

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versus

The State of Maharashtra and others

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>01.11.2023</u></p> <p><u>M.A 472/2023 in O.A 241/2023</u></p> <p>D.K Ghogewad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Tejas Hartalkar a/w for Shri P.G Hartalkar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsei for the applicant submits that he has received instructions from the Applicant to withdraw both the Misc Application & Original Application. The Note of the Applicant dated 31.10.2023 is taken on record.</p> <p>3. In view of the above, both the Misc Application as well as Original Application stand disposed of as withdrawn.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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DISTRICT

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	<p><u>01.11.2023</u></p> <p style="text-align: center;"><u>M.A 605/2023 in O.A 1205/2023</u></p> <p>S.A Jawale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The Misc Application is filed seeking condonation of delay of 5 months.</p> <p>3. Learned counsel submits that the Applicant is seeking promotion to the post of Office Superintendent, Non-Gazetted, Group-B and further challenges the promotion of private Respondents No 3 to 20 who were promoted by order dated 14.10.2021. Learned counsel submits that he has filed affidavit of service wherein he has mentioned that he has served all the private Respondents. He further submits that some of the private Respondents have already retired.</p> <p>4. Learned counsel submits that the applicant has submitted various representations to the Respondents seeking promotion. Hence, there is delay of five months in filing the Original Application.</p> <p>5. Learned P.O submitted that there is no ground to condone the delay and opposes the Misc Application.</p> <p>5. The applicant is seeking promotion as well as the challenging the promotion granted to private Respondents No 3 to 20 by order dated 14.10.2021.</p> <p>7. Considering the period of delay of 5 months and the issue involved in the Original Application, we condone the delay and allow the Misc Application.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">Akn</p>

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

Tribunal's orders

01.11.2023

O.A 1205/2023

S.A Jawale ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. The Applicant is seeking promotion to the post of Office Superintendent, Non-Gazetted, Group-B and further challenges the promotion of private Respondents No 3 to 20 who were promoted by order dated 14.10.2021.

3. Issue notice before admission returnable on 29.11.2023.

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

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 in 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 Applications shall stand dismissed."

8. S.O to 29.11.2023.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No.

of 20

DISTRICT

..... Applicant/s

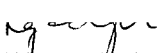

(Advocate

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	<p><u>01.11.2023</u></p> <p><u>M.A 499/2022 in O.A 31/2022</u></p> <p>Shri Yogesh Wagh ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Yogesh Wagh, applicant in person and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Applicant in person submits that he has already filed written notes in Misc Application and he will file written notes in Original Application by 23.11.2023 and give copy to the other side.</p> <p>3. S.O to 30.11.2023.</p> <p>Sd/-  (Medha Gadgil) Member (A)</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>