

# 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.814 of 2021</u></p> <p>A.R. Patil &amp; 3 Ors. ..Applicants  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicants and Advocate are not present. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 2.3.2022.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)  Member (A)  2.2.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)  Chairperson  2.2.2022</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.657 of 2021</u></p> <p>R.M. Sawant &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicants and Advocate are not present. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 2.4.2022 for final hearing with liberty to file rejoinder.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) 2.2.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson 2.2.2022</p> </div> </div>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.369 of 2021</u></p> <p>Gajanan S. Chavan ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and Advocate are not present. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply and rejoinder are already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 16.3.2022 for final hearing.</p> <p style="text-align: center;">Sd/-    Sd/-</p> <p style="text-align: center;">(Medha Gadgil)                                  (Mridula Bhatkar, J.) Member (A)    Chairperson 2.2.2022    2.2.2022</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>O.A. No.94 of 2022</u></p> <p>Subhash S. Zade ..Applicant Vs. The State of Maharashtra &amp; 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. Respondent no.1-Commissioner of Police, Pune is directed to produce copy of Home Guard Certificate of Respondent No.2-Mr. Yogesh K. Sonkamble.</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 10.2.2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. 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.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span> 2.2.2022 <span style="float: right;">2.2.2022</span></p> <p>(sgi)</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>02.02.2022</u></b></p> <p align="center"><b><u>O.A 102/2022</u></b></p> <p>Shri J.J Patil ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel Mr Dere in presence of the applicant, who is present, submits that in view of Rule 5(b) of "The Maharashtra Civil Services (Provision of upper age limit for recruitment by nomination) Rules, 1986, he wants to withdraw the Original Application.</p> <p>3. Original Application stands disposed of as withdrawn.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center"><b>(Medha Gadgil)</b> <span style="float: right;"><b>(Mridula Bhatkar, J.)</b></span> <b>Member (A)</b> <span style="float: right;"><b>Chairperson</b></span></p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.804 of 2021</u></p> <p>S.P. Kale &amp; 28 Ors. ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicants and Advocate are not present. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 2.3.2022.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)  Member (A)  2.2.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)  Chairperson  2.2.2022</p> </div> </div>

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

Tribunal's orders

Date: 02.02.2022

O.A. No.296 of 2021

A.S. Agarkar .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Ms. Savita Suryawanshi, learned Advocate holding for Shri A.R. Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The Applicant is claiming promotion to the post of Police Inspector from the date his juniors were promoted. As such, presently he is working as Assistant Police Inspector. He is contending that since his juniors are already promoted and his decision for promotion was kept in abeyance or is sealed cover Respondents be directed to give him promotion to the post of Police Inspector.

3. It is thus obvious from O.A. as well as prayer clause that basically the Applicant's claim is for promotion to the post of Police Inspector with retrospective effect and this is not a case of Deemed Date of Promotion.

4. The matters pertaining to promotion pertains to Division Bench. O.A. pertaining to Deemed Date of Promotion pertains to Single Bench. This is not a case where the Applicant is already promoted to the post of Police Inspector and claiming Deemed Date of Promotion so as to hear the matter by Single Bench. Indeed, it is a matter pertaining to promotion itself which pertains to Division Bench.

5. It be noted that in past some other matter of similar nature claiming promotion with retrospective effect were transferred to Division bench.

6. I/C Registrar is therefore directed to place the matter before Division Bench.

Sd/-

(A.P. Kurhekar)  
Member (J)



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	<p><b>Date: 02.02.2022</b></p> <p align="center"><b>O.A. No.731 of 2021</b></p> <p><b>S.I. Abbas .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri Yuvraj Patil along with Nagnath Bhumkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for permission to tender Affidavit-in-Reply on record since matter is already proceeded without Reply.</p> <p>3. In the interest of justice, allowed to file Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record.</p> <p>4. S.O. to 07.02.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar)  Member (J)</p> <p>NMN</p>

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	<p><b>Date: 02.02.2022</b></p> <p align="center"><b>O.A. No.622 of 2020 with O.A. No.623 of 2020</b></p> <p><b>M.R. Ahire</b>  <b>M.P. Shinde</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents in O.A. No.622/2020 and Smt Archana B.K., Presenting Officer for the Respondents in O.A. No.623/2020.</p> <p>2. On request of learned Advocate for the Applicant short time is granted for Final Hearing.</p> <p>3. S.O. to 16.02.2022.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

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	<p><b>Date: 02.02.2022</b></p> <p align="center"><b>O.A. No.716 of 2021</b></p> <p><b>V.D. Gurav</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. The Applicant and his power of attorney are absent.</li> <li>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>3. Today matter is for hearing at the stage of admission but the Applicant is absent. Perusal of record reveals that they are not attending O.A. regularly and seems not interested in the matter.</li> <li>4. O.A. is dismissed in default with no order as to costs.</li> </ol> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.Nos.26/2022</u></b></p> <p><b>Shri A.K. Pawar &amp; Ors. ... Applicants</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors. ... Respondents</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned Presenting Officer for Respondents.</li> <li>2. Matter pertains to inter-district transfers from Mumbai to Nashik. The Applicants are presently working on the establishment of Commissioner of Police, Mumbai and seeking transfer to Commissioner of Police, Nashik. Earlier correspondence was made between the authorities about the inter-district transfers.</li> <li>3. Today, learned P.O. has filed short Affidavit on behalf of Respondent No.2 – Commissioner of Police, Mumbai. It is taken on record along with letter dated 02.02.2022 issued by C.P, Nashik.</li> <li>4. By letter dated 02.02.2022, C.P, Nashik informed to C.P, Mumbai that at present only 7 posts of Scheduled Tribe are vacant and he is willing to accommodate them on the basis of first come first serve.</li> <li>5. In view of above, C.P, Mumbai shall relieve those S.T. candidates as per seniority, so that they can join the establishment of C.P, Nashik and appraise the Tribunal by next date.</li> <li>6. Respondent No.2 – C.P, Mumbai is further directed to appraise the Tribunal about the inter-district transfers of remaining Applicants by next date.</li> <li>7. S.O. to 3<sup>rd</sup> March, 2022.</li> </ol> <p align="right">Sd/- <b>(A.Ā. Kurhekar)</b> Member-J 02.02.2022</p> <p>(skw)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>O.A.No.68/2022</u>
	<p><b>Shri T.P. Vakte &amp; Ors. ... Applicant</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors. ... Respondents</b></p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned Presenting Officer for Respondents.</p> <p>2. The issue involved in the present case is about inter-district transfers. The Applicants are Police Constables on the establishment of Commissioner of Police, Mumbai and seeking transfer to Commissioner of Police, Nashik on the grounds viz. their spouse is staying at Nashik, illness of parents, etc. The Applicants made representation to C.P, Mumbai which was accepted by C.P, Mumbai and information was called from C.P, Nashik about the vacancy position, etc. as seen from letter dated 17.11.2021. However, thereafter, no step was taken and Applicants were not relieved. Thereafter, by letter dated 03.01.2022, C.P, Nashik informed to C.P, Mumbai that since Applicants were not relieved, the communication dated 17.11.2021 cannot be acted upon.</p> <p>3. Today, learned P.O. has filed Affidavit on behalf of Respondent No.2 – Commissioner of Police, Nashik along with letter dated 03.01.2022 issued by C.P, Nashik.</p> <p>4. Thus, what transpires that initially, though C.P, Nashik has conveyed his willingness to accommodate Applicants, they were not relieved within reasonable time and matter was kept in cold storage. Therefore, C.P, Nashik has withdrawn his consent.</p> <p>5. Learned P.O. on instructions from Yogesh Kumar, Dy. Commissioner of Police (Headquarter) stated that C.P, Mumbai is again ready to forward proposal afresh to C.P, Nashik and if C.P, Nashik is ready to accommodate them, the Applicants will be relieved.</p> <p>6. In view of above, four weeks' time is granted to C.P, Mumbai as well as C.P, Nashik to take necessary steps in this behalf and to appraise the Tribunal about the final decision by next date.</p> <p>7. S.O. to 3<sup>rd</sup> March, 2022.</p> <p align="right">Sd/- <b>(A.P. Kurhekar)</b> Member-J 02.02.2022</p> <p>(skw)</p>

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	<p style="text-align: center;"><b><u>O.A.Nos.904 &amp; 939/2021</u></b></p> <p><b>Shri K.N. Shinganathe</b> <b>Shri N.S. Bhosale</b> ... Applicants <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned Presenting Officer for Respondents.</p> <p>2. Today, learned P.O. has tendered short Affidavit on behalf of Commissioner of Police, Mumbai. It is taken on record.</p> <p>3. In these two O.As, the grievance is raised about inter-district transfers from Mumbai to various other Districts of Maharashtra on the ground of illness, family difficulties, etc.</p> <p>4. The learned P.O. has pointed out that recently PEB in its meeting dated 25.01.2022 has taken decision to accept the request of 242 Police Personnel including present Applicants and in consultation with Superintendent of Police of concerned District, further steps will be taken within a month.</p> <p>5. As such, for inter-district transfers, willingness of concerned authority is required and now the matter is in process.</p> <p>6. In view of above, the Respondent No.1 is directed to take necessary steps in consultation with concerned Superintendent of Police for inter-district transfers of the Applicant and shall appraise the Tribunal about final decision by next date.</p> <p>7. S.O. to 3<sup>rd</sup> March, 2022.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member-J 02.02.2022</p> <p>(skw)</p>

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	<p><b>Date: 02.02.2022</b></p> <p align="center"><b>O.A. No.199 of 2021</b></p> <p><b>Dr. S.B. Baralay</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri S.K. Nair, learned Counsel along with Smt. Reshma Kurle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri A.J. Chougule sought adjournment stating that learned C.P.O. is busy before Division Bench.</p> <p>3. Adjourned for Final Hearing at the stage of admission with specific direction that no further time will be given.</p> <p>4. S.O. to 18.02.2022.</p> <p align="right">Sd/-  vv  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

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	<p><b>Date: 02.02.2022</b></p> <p align="center"><b>M.A. No.07 of 2022 in O.A. No.221 of 2021</b></p> <p><b>The State of Maharashtra &amp; Ors. (Org. Resps.)....Appl. Versus K.M. Gund (Org. Appl.) .....Resps.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Applicants (Org. Respondents) and Shri S.A. Khatake, learned Advocate holding for Shri P.S. Bhavake for the Respondent (Org. Applicant).</li> <li>2. This M.A. is file to recall order dated 06.12.2021 and for permission to file Affidavit-in-Reply on behalf of Respondent Nos.1 to 3.</li> <li>3. In the interest of justice order dated 06.12.2021 whereby matter was proceeded without Reply is recalled and learned P.O. is allowed to file Affidavit-in-Reply, so as to decide the matter on merit. Affidavit-in-Reply tendered by learned P.O. is taken on record.</li> <li>4. On request of learned Advocate for the Applicant adjourned for hearing at the stage of admission.</li> <li>5. M.A. is accordingly disposed of with no order as to costs.</li> <li>6. O.A. is adjourned to 25.02.2022.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



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	<p align="center"><b>Date: 02.02.2022</b></p> <p align="center"><b>O.A. No.752 of 2020</b></p> <p><b>S.A. Patil</b> .....<b>Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....<b>Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent</li> <li>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>3. Today matter is for hearing at the stage of admission but Applicant's counsel is absent.</li> <li>4. Perusal of file shows that the Applicant and his Counsel are not attending the matter regularly they seem not interested in the matter.</li> <li>5. O.A. is dismissed in default with no order as to costs.</li> </ol> <p align="right">Sd/-   <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

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	<p><b>Date: 02.02.2022</b></p> <p align="center"><b>O.A. No.106 of 2022</b></p> <p><b>B.M. Bichkule</b> .....<b>Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ....<b>Respondents.</b></p> <p>1. Heard Shri D.K. Chavan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed O.A. for direction to Respondent for appointment on compassionate ground. The Applicant's mother died on 17.03.2013 while she was working as Van Major. After death of mother, the Applicant made an application for appointment on compassionate ground on 23.10.2013 along with necessary documents and was waiting for response. However, he did not get any response. Thereafter, he made representation dated 03.01.2022 which is also not responded, and therefore ultimately approached this Tribunal. Thus, it seems that the claim made by the Applicant is not yet decided.</p> <p>3. Learned P.O. on instructions submits that the Applicant's name is already taken in waiting list and presently he is at Sr. No.19 and matter is under process.</p> <p>4. It needs to be noted that presently the Applicant's age is 44 years and 6 months as shown in title clause. As per information submitted by Department his date of birth is 15.06.1977.</p> <p>5. In view of above, this O.A. need to be expedited since the Applicant will be crossing 45 age soon.</p> <p>6. Issue notice before admission returnable on 22.02.2022.</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
	<p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. 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.</p> <p>11. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>12. S.O. to 22.02.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>