

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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| | <p>Date : 02.02.2023</p> <p style="text-align: center;">M.A.No.682/2022 in M.A.No.346/2017 in O.A.No.760/2017</p> <p>S.R. YadavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that M.A.No.346/2017 is filed seeking condonation of delay of 4 years, 1 month and 15 days. He prays that the case of the Applicant is to be considered for promotion and he is to be granted deemed date of promotion and pay scale w.e.f. 29.04.2009 as it was earlier granted to his juniors from 15.06.2013.</p> <p>3. Learned Advocate submits that the applicant could not file O.A. earlier within limitation because he was prosecuted before the Special Judge at Pune. The Applicant was waiting for the decision. However, it is not decided. Moreover, discharge application filed by him before the Sessions Court was not decided and it is still pending before the Special Judge.</p> <p>4. Learned Advocate submits that the applicant was waiting in false hope that it will be decided and so the applicant will be on a better footing to prosecute his case of promotion and deemed date before the Tribunal.</p> |

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| | <p>5. Learned C.P.O. while opposing this application submits that the delay of 4 years is a long period and the explanation given by the applicant is not satisfactory. Hence, M.A. is to be rejected.</p> <p>6. Considered submissions made by both the Counsel. It is true that the period of 4 years is a long period of delay. However, as the case of applicant is still pending before the Special Court the reason given is plausible. It can be considered. We allow the M.A. for condonation of delay on payment of costs of Rs.5,000/- which is to be paid within four weeks from today.</p> <p>7. M.A.No.346/2017 is allowed.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p> |

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| | <p>Date : 02.02.2023</p> <p>O.A.No.760/2017 with M.A.No.682/2022</p> <p>S.R. YadavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. D.B. Khaire, learned Advocate for the Applicant and M S.P. Manchekar, learned Chief 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 02.03.2023.</p> <p>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.</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 <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 02.03.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p style="text-align: left;">pik</p> |

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Date: 02.02.2023

O.A. No.1234 of 2022

L.M. GaikwadApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. In the present case there seems to be dispute about entitlement to receive retiral benefits of deceased Government servant. O.A. is filed by Smt. Latika Madhukar Gaikwad claiming to be wife of deceased Government servant Shri Madhukar Gaikwad. He retired on 31.05.2019 and he died on 11.01.2022. After retirement he gave nomination in favour of the Applicant in service record for family Pension etc. However, one lady namely Sunanda raised objection sending compliant to the Respondents that she is legally wedded wife of the Applicant and have two children. Respondents therefore ask the Applicant to produce heir-ship certificate. Applicant accordingly produced heir-ship certificate from Civil Court.

3. This issue seems to be of legally wedded wife of deceased Government which exclusively falls within the jurisdiction of Civil Court. Sunanda is not party to this O.A.

4. Learned P.O. want to add Sunanda as Respondent so that she should be heard before passing any order by the Tribunal. Allowed to file M.A. Two weeks time is granted.

5. S.O. to 16.02.2023.

Sd/-

v

(A.P. Kurhekar)
Member (J)

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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.13 of 2023</p> <p>D.P. VarpeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. O.A. is already proceeded without Reply for hearing, it pertains to retiral benefits and regularization of leave period. 3. Today learned P.O. sought permission to file Affidavit-in-Reply on behalf of Respondent No.1. In the interest of justice allowed to file Reply to decide the matter on merit. No Reply is filed on behalf of Respondent No.2 – C.E.O., Zilla Parishad. 4. O.A. be kept for hearing at the stage of Admission. 5. S.O. to 09.02.2023. <p align="right"> ^ Sd/- ~~~~~ (A.P. Kurhekar) Member (J) </p> <p>NMN</p> |

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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.21 of 2020</p> <p>D.S. HingeApplicant 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. Matter is for Final Hearing but learned Advocate for the Applicant requested for adjournment since the Court time is also over.</p> <p>3. S.O. to 27.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.1132 of 2022</p> <p>S.K. SonawaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant sought direction to treat suspension period from 30.09.2021 to 25.07.2022 as a duty period for all consequential benefits.</p> <p>3. While the Applicant was serving as P.S.I. on the establishment of Respondent he was suspended by order dated 30.09.2021 in contemplation of D.E. However, no D.E. was initiated for long time. Ultimately he filed O.A. No.615/2022 before this Tribunal which was allowed on 18.07.2022 and directions were given to reinstate the Applicant in service immediately. It is on this background the Applicant came to be reinstated in service by order dated 25.07.2022 subject to decision in D.E. / Criminal prosecution. Thereafter, the Applicant made representation to treat his Suspension period as duty period on the ground that no D.E. is initiated and because of inaction on the part of Respondents his promotion avenues are hampered.</p> <p>4. The perusal of Affidavit-in-Reply reveals that there are complaints against the Applicant and four complaints were closed giving clean chit to the Applicant. However, in respect of one compliant dated 04.02.2021 it is stated to be under enquiry.</p> <p align="right">[PTO.]</p> |

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5. Now period of more than two years is over from the date of compliant dated 04.02.2021. If there was any such case for initiation of D.E. then all required steps ought to have been taken by the Respondents within this period. However, no such step is taken for initiation of D.E. Issue of entitlement for pay and allowance for the period of suspension is to be considered after decision in D.E. but in present case no such D.E. is initiated though period of more than two years is over.

6. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record. In Affidavit-in-Rejoinder it is stated that nothing is culminated against the Applicant in the enquiry and no criminal case is initiated against him.

7. In view of above, it is necessary to know what decision Respondent has taken about the initiation of D.E. and matter cannot be kept in abeyance for such a long time.

8. Learned P.O. is directed to take instruction from Respondents to know the present status of enquiry of compliant dated 04.02.2021, and further to apprise the Tribunal whether the Respondent is going to initiate D.E. against the Applicant so that matter could be disposed of with suitable direction.

9. S.O. to 03.02.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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| | <p>Date : 02.02.2023</p> <p align="center">O.A.No.79/2023 with M.A.No.80/2023</p> <p>R.N. SaykarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant in M.A.No.80 /2023 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant was selected as Police Constable on 03.10.2022 and joined on 07.10.2022.</p> <p>3. Learned Advocate Ms. Pooja Mankoji submits that applicant in M.A.No.80/2023 has filed seeking intervention in O.A.No.79/2023.</p> <p>4. Learned Advocate Mr. Bandiwadekar seeks permission to add DG Police as Party Respondent No.3.</p> <p>5. Permission granted. Amendment to be carried out forthwith. Amended copy to be served upon the concerned.</p> <p>6. We direct D.G. Police and the concerned Officer from Home Department to remain present on the next date.</p> <p>7. Adjourned to 06.02.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

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| | <p>Date : 02.02.2023</p> <p align="center">O.A.No.1299/2022</p> <p>U.H. BhosaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Mr. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file affidavit-in-reply.</p> <p>3. Adjourned to 23.02.2023. Interim relief, in any, to be continued till next date.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p> |

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| | <p>Date : 02.02.2023</p> <p>O.A.No.125/2023</p> <p>P.V. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere & Assoc., learned Advocate for the Applicant and Ms. 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 13.02.2023.</p> <p>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.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 13.02.2023. To be tagged along with identical O.A.No.1164/2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p style="text-align: left;">prk</p> |

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| | <p>Date : 02.02.2023</p> <p align="center">O.A.No.514/2022</p> <p>R.A. KhatkaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file affidavit.</p> <p>3. Time granted. Adjourned to 09.02.2023. Interim relief to be continued till next date.</p> <p align="center">Sd/- Sd/- </p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p> |

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| | <p style="text-align: center;"><u>O.A. No.364 of 2021</u></p> <p>R.G. Kadam & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.A. Desai with Shri S.D. Patil, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits on the basis of affidavit dated 27.4.2022 filed by Shri Shekhar Bhimrao Patil, Deputy Director, Sports & Youth Services, Nagpur Division, Nagpur, on behalf of respondent no.6 and in view of the submissions, that name of two candidates viz. Shri Viplove Vijay Tiwari & Avinash Dattarao Korade, who were at Sr. No.390 and 467 respectively in the merit list dated 9.9.2019, who are similarly situated like applicant, are given appointments.</p> <p>3. Ld. CPO submits that she will verify the position of these two candidates.</p> <p>4. The respondents are directed to file affidavit of competent authority stating that the stand taken by the Government by letter dated 27.3.2017 send by Section Officer, School Education & Sports Department, Mantralaya to Commissioner, Sports & Youth Services, Pune, was right or wrong.</p> <p>5. Ld. Advocate for the applicants submits that his rights were crystallized when the names of the applicants were recommended and now the State is estopped and rights of the applicants are to be protected under the doctrine of promissory estoppels. He relied on the judgment and order dated 11.11.2022 passed by this Tribunal in OA No.1020 of 2021 Jayashri Govind Naik Vs. The State of Maharashtra & Ors.</p> <p>6. S.O. to 9.2.2023. Part heard.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 2.2.2023 2.2.2023</p> <p>(sgi)</p> |

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| | <p><u>02.02.2023</u></p> <p align="center"><u>M.A 61/2023 in O.A 1047/2022</u></p> <p>Shri D.S Sabde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Manoj Survade holding for Shri R.V Kamble, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O produces copy of result of the applicant, who has applied under O.B.C general category. There are no written examination and on the basis of interview, the selection is made.</p> <p>3. In the result, the applicant secured 44 marks in the interview and the cut-off marks for OBC general category is 51 marks. Therefore, the applicant is not considered on merit.</p> <p>4. In view of this, we are of the view that it can be disposed of on the next date.</p> <p>5. S.O to 9.2.2023.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p> |

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| | <p align="center"><u>02.02.2023</u></p> <p align="center"><u>O.A 735/2021</u></p> <p>Shri B.R Nerurkar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Amruta Kharade i/b Talekar & Associates, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel submits that she is informed that the Respondents will be filing reply during the course of the day.</p> <p>3. Learned counsel for the applicants request for time to file rejoinder.</p> <p>4. S.O to 2.3.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p> |

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| | <p><u>02.02.2023</u></p> <p><u>O.A 855/2022</u></p> <p>Shri V.S Naik ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 31.3.2023.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> |

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| <p style="text-align: center;"><u>02.02.2023</u></p> <p style="text-align: center;"><u>O.A 870/2021</u></p> <p>Shri A.S Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.R Deshpande, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that reply is not filed till today.</p> <p>3. Learned C.P.O is directed to file reply within four weeks. If reply is not filed within four weeks, the matter will proceed without reply.</p> <p>4. S.O to 2.3.2023.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="font-size: small;">Akn</p> | <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: right; font-size: 2em; margin-top: 20px;">2</p> |

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| | <p><u>02.02.2023</u></p> <p style="text-align: center;"><u>O.A 625/2022</u></p> <p>Shri S.D Akale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O is directed to file reply by way of last chance.</p> <p>3. S.O to 23.2.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A) <small>Akn</small></p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> |

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| | <p><u>02.02.2023</u></p> <p style="text-align: center;"><u>O.A 902/2022 with O.A 1002/2022</u></p> <p>R.R Godse S.P Deshpande ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submit that Commissioner of Police, Mumbai, Respondent no. 3 is required to file affidavit in reply.</p> <p>3. Learned C.P.O on instructions submits that D.C.P is going to file reply.</p> <p>4. Learned counsel further submits that no reply is filed in O.A 1002/2-022.</p> <p>5. In view of the above matter adjourned to 2.3.2023.</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> |

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| | <p>Date : 02.02.2023</p> <p align="center">O.A.No.865/2022</p> <p>A.V. GavhaneApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Mr. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to 16.02.2023. Interim relief, in any, to be continued till next date.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p align="center">pk</p> |

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| | <p><u>02.02.2023</u></p> <p align="center"><u>O.A 55/2022</u></p> <p>Shri V.S Kadam ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that for one year no reply is filed.</p> <p>3. Learned P.O submits that by communication dated 21.10.2022 the proposal of giving deemed date to the applicant Shri V.S Kadam is sent to the Addl. Chief Secretary, Home Department.</p> <p>4. In view of this, we direct the concerned responsible officer from the Home Department and the Respondents to remain present and make statement as to what happened to this proposal.</p> <p>5. S.O to 9.2.2023.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) ✓ Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p> |

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| | <p><u>02.02.2023</u></p> <p>O.A 613/2019 with M.A 189/2022 with O.A 494/2020 with M.A 465/2021 in O.A 214/2020 with O.A 603/2021 with M.A 239/2022 with O.A 24/2022</p> <p>Shri S.S Chavan & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Smt Punam Mahajan has filed leave note. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Out of these group of matters, O.A 613/2019 and O.A 214/2020 will be heard on the next date.</p> <p>3. S.O to 22.2.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> |

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| | <p align="center"><u>02.02.2023</u></p> <p align="center"><u>O.A 1108/2022</u></p> <p>Shri S.A Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. By way of last chance, Respondents are directed to file affidavit in reply.</p> <p>3. S.O to 2.3.2023.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgh) Member (A) Akn</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> |


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| | <p>Date: 02.02.2023</p> <p>O.A. No.1113 of 2022 with O.A. No.1167 of 2022</p> <p>B.T. Rathod P.J. MahaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents in 1113/2022 and Shri A.J. Chougule, learned Presenting Officer for the Respondents in 1167/2022.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed within three days.</p> <p>3. S.O. to 06.02.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p> |

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| | <p>Date : 02.02.2023</p> <p align="center">M.A. No.75 of 2023 in O.A.No.518 of 2022</p> <p>H. R. MaskeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Sandip Gaikwad, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed for amendment in prayer clause. It would not change the nature of O.A. 3. Amendment is allowed. It be incorporated immediately. 4. Two weeks time is granted to file additional reply to amendment made in O.A., if desires. 5. S.O. to 15.02.2023. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p> |


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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.844 of 2021 with O.A. No.433 of 2022</p> <p>C.S. LokhandeApplicant 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. On request of learned P.O. two weeks time is granted for final argument and no further time will be granted.</p> <p>3. S.O. to 15.02.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p> |

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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.1184 of 2019</p> <p>D.J. SonawaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant in person is present. 2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. 3. Applicant requested to keep the matter in 2nd session since his Advocate is busy in other Court. Whereas, learned P.O. sought short time to take instructions regarding counter Affidavit filed by the Applicant on previous date. 4. S.O. to 10.02.2023. <p align="right">n Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.41 of 2023</p> <p>N.S. Bhise & 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. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 16.02.2023.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.05 of 2023</p> <p>A.R. JadhavApplicant 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. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file Affidavit-in-Rejoinder.</p> <p>4. S.O. to 16.02.2023.</p> <p align="right"> Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p> |


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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.1228 of 2022</p> <p>S.L. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply as last chance.</p> <p>3. S.O. to 09.02.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p> |

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
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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.1212 of 2022</p> <p>Dr. S.F. DeshmukhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri D.B. Khaire, learned Advocate for the Respondent No.3.</p> <p>2. Learned P.O. sought time to file Affidavit-in-Reply.</p> <p>3. Shri D.B. Khaire, learned Advocate for the Respondent No.3 has filed Affidavit-in-Reply on behalf of the Respondent No.3. It is taken on record.</p> <p>4. One week time is granted to learned P.O. to file Affidavit-in-Reply as last chance.</p> <p>5. S.O. to 09.02.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p> |

[P.T.O.]

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| | <p>Date: 02.02.2023</p> <p>O.A. No.1199 of 2022 with O.A. No.1200 of 2022</p> <p>K.J. Mhatre L.J. ThakurApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 to 3 in both the O.As. It taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file Affidavit-in-Rejoinder.</p> <p>4. S.O. to 20.02.2023.</p> <p align="right">n Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

[P.T.O.]

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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.1143 of 2022</p> <p>R.S. RathoApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that Affidavit-in-Rejoinder is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 27.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

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O.A. No.424 of 2020 with O.A. No.398 of 2021 with O.A.
No.172 of 2022 with O.A. No.80 of 2021 with
O.A. No.81 of 2022 with O.A. No.632 of 2021 with
O.A. No.784 of 2021 with O.A. No.685 of 2022 with
O.A. No.713 of 2022

Dr. K.B. Batte
Dr. B.M. Dahiphale
Dr. S. V. Kachare
Dr. J.K. Pagare
Dr. A.R. Patil
Dr. A.S. Thakre
Dr. V.N. Musale & Ors.
D.T. Chavan & Ors.,
P.B. RathodApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, leaned Advocate for the Applicant in O.A.424/2020, Shri K.R. Jagdale, leaned Advocate for the Applicant in O.A.172/2022 & 713/2022 and Smt. K.S. Gaikwad and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Shri A. Misal, learned Advocate for the Respondent No.4 in O.A.713/2022, Shri J.S. Deshmukh, learned Advocate for the Applicant in O.A. No.80/21, 81/21, 632/21 & 713/22, Shri U.V. Bhosle, learned Advocate for the Applicant in 398/2021, Shri S.S. Dere, Advocate for the Applicant in 685/2022 are absent.
3. All these O.As were adjourned for long time awaiting decision of Hon'ble High Court in Writ Petition No.2303/2019 (State of Maharashtra v/s. Rajesh Gaikwad) since the issue involved in these O.As. are similar.
4. Learned P.O. submits that Government has taken circulation and matters are likely to be heard finally on 09.03.2023 by Hon'ble High Court. She therefore requested to adjourn the matter after 09.03.2023 as last chance.
5. O.A. be kept in 2nd or 3rd week for Final Hearing with specific direction that all Advocates shall remain prepared for Final Hearing.
6. S.O. to 16.03.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

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| | <p>Date: 02.02.2023</p> <p>O.A. No.424 of 2021 with O.A. No.990 of 2021 with O.A. No.494 of 2022 with O.A. No.876 of 2022</p> <p>P.P. Kashid C.V. Potdar P.V. Nikam R.V. MukaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule learned Presenting Officer for the Respondents.</p> <p>2. Issue involved in these O.As. pertains to compassionate appointment ^{where} were deceased have three children in the family. Learned Advocate for the Applicant has pointed out that the issue is pending before Division Bench in view of conflicting Judgment of co-ordinate Bench (Single Bench). He therefore requested to adjourn the matter awaiting the decision of Division Bench.</p> <p>3. In view of above, hearing of these O.As is adjourned till decision of Division Bench as a matter of judicial propriety.</p> <p>4. S.O. to 02.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p align="right">[P.T.O.]</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date: 02.02.2023</p> <p align="center">O.A. No.879 of 2022 with O.A. No.1324 of 2022</p> <p>N.S. Naik V.R. ShindeApplicant 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. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder in O.A. No.879/2022 on behalf of the Applicant. It is taken on record. Today, learned P.O. has also filed Affidavit-in-Reply in O.A. No.1324/2022 on behalf of Respondent No.2. It is also taken on record.</p> <p>3. S.O. to 21.02.2023 along with O.A. No.806/22 and other connected matters.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |