

**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: 02.02.2024</p> <p align="center">O.A. No.128 of 2024</p> <p>A.M. SoundaneApplicant 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 Applicant stated that Applicant who was working on post of 'Assistant Registrar Co-operative Societies; Igatpuri, District Nashik' has been transferred by 'Co-operation, Marketing and Textile Department' Order dated 31.01.2024 to the 'Vacant Post' of 'Assistant Registrar Co-operative Societies (Dairy); District Nanded'.</p> <p>3. Learned Advocate for Applicant stated that Applicant had completed her 'Normal Tenure' of 3 years on the post of 'Assistant Registrar, Co-operative Societies, Igatpuri, District Nashik'.</p> <p>4. Learned Advocate for Applicant then stated that Respondent No.2 who was working on the post of 'Assistant Registrar Co-operative Societies; Sindhkheda, District Dhule' has been transferred in place of the Applicant by 'Co-operation, Marketing and Textile Department' Order dated 31.01.2024.</p> <p>5. Learned Advocate for Applicant further stated that 'Co-operation, Marketing and Textile Department' Orders dated 31.01.2024 are in respect of 'Assistant Registrar, Co-operative Societies' both of whom have completed 'Normal Tenure' of 3 years under 'Section 3 (1)' of the 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. Hence as such there was no urgency to transfer them when exercise</p>

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	<p>of 'General Transfers: 2024' is also expected to have begun as per 'Time Schedule' given in 'G.A.D. G.R. dated 09.04.2018'.</p> <p>6. Learned Advocate for Applicant then emphasized that 'Co-operation, Marketing and Textile Department' Order dated 31.01.2024 makes no mention about provisions of 'Section 4(4)(2)' and 'Section 4(5)' which necessitates 'Special Reasons' and 'Exceptional Circumstances' to be recorded by 'Competent Transferring Authority' and next 'Superior Transferring Authority'.</p> <p>7. Learned Advocate for Applicant thereafter explained about the reasons behind 'Co-operation, Marketing and Textile Department' Order dated 31.01.2024 by stating that Applicant has been suddenly transferred from post of 'Assistant Registrar Co-operative Societies; Igatpuri, District Nashik' only because of complaint made against Applicant by local 'M.L.A.' on 11.10.2023 to 'Additional Chief Secretary, 'Co-operation, Marketing and Textile Department' which in turn came to be forwarded for enquiry to 'Registrar of Co-operative Societies and Co-operation Commissioner, Maharashtra State, Pune'.</p> <p>8. Learned Advocate for Applicant contends that 'Assistant Registrar of Co-operative Societies, Nashik' was tasked to conduct enquiry about the complaint made against Applicant by local 'M.L.A.' and she submitted report on 26.12.2023 to 'District Deputy Registrar of Co-operative Societies, Nashik'. Subsequently the 'District Deputy Registrar of Co-operative Societies, Nashik' submitted his report of 'Divisional Joint Registrar of Co-operative Societies, Nashik on 19.01.2024.</p> <p>9. Learned Advocate for Applicant also relied on the Judgment passed in 'O.A. No.980/2010' on 22.11.2010 which was subsequently upheld Order dated 17.01.2011 in 'Writ Petition No.9873/2010' by 'Hon'ble High Court of Judicature at Bombay'.</p> <p>10. Learned Advocate for Applicant lastly stated that it was pertinent to note that 'Husband' was employee</p>

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	<p>of 'Central Government' serving on 'Non Transferable Post' in the 'Indian Security Press' at 'Nashik'.</p> <p>11. Learned P.O. states that the transfer of Applicant to the post of 'Assistant Registrar, Co-operative Societies (Dairy); District Nanded' has been effected because she had completed 'Normal Tenure' of '3 years' on the post of 'Assistant Registrar, Co-operative Societies, Igatpuri; District Nashik' and against the backdrop of many 'Vacant Post' in Nanded District. However she fairly admits based on 'File Notings' and 'Minutes of Meeting' of 'C.S.B.' that there was no specific proposal to transfer Applicant to 'Vacant Post' of 'Assistant Registrar Co-operative Societies (Dairy); District Nanded'. She added that 'C.S.B.' nonetheless had made recommendation for transfer of 'Respondent No.2' to post of 'Assistant Registrar Co-operative Societies, Igatpuri; District Nashik' as per request made by local 'M.L.A.'.</p> <p>12. Learned P.O. emphasizes that approval of 'Competent Transferring Authority' and next 'Superior Transferring Authority' were obtained for transfer of both 'Applicant' and 'Respondent No.2' as required under 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. Thereafter, the Applicant came to be transferred on the 'Vacant Post' of 'Assistant Registrar Co-operative Societies (Dairy); District Nanded'.</p> <p>13. Learned P.O. then states that Respondent No.2 has also taken charge of the post of 'Assistant Registrar, Co-operative Societies, Igatpuri; District Nashik' on 01.02.2024 as per 'Co-operation, Marketing and Textile Department' Order dated 31.01.2024.</p> <p>14. The Applicant has been transferred to 'Vacant Post' of 'Assistant Registrar, Co-operative Societies (Dairy), District Nanded' in consideration of the fact</p>

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	<p>that there were large numbers of 'Vacant Posts' in 'Nanded District'. However, facts remain that name of Applicant was not even recommended by 'C.S.B.' which held its meeting on 29.12.2023 although it did consider the request made by local 'M.L.A.' on 11.10.2023 for transfer of 'Respondent No.2' to post of 'Assistant Registrar Co-operative Societies, Igatpuri; District Nashik'. Material to note here it is that only on the basis of request made by local 'M.L.A.' to Respondent No.2 was posted in place of Applicant inspite of there the fact that no specific recommendation had been made by 'C.S.B.' for transfer of Applicant of 'C.S.B.'. Hence, undoubtedly 'Respondent No.2' came to be transferred to post of 'Assistant Registrar Co-operative Societies, Igatpuri; District Nashik' only after it was made available for him by transferring Applicant to 'Vacant Post' of 'Assistant Registrar, Co-operative Societies (Dairy), District Nanded'. The 'Transfer Order' dated 31.01.2024 of Applicant is therefore issued without observing provisions of law under 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' read with guidelines in 'Para 7' of G.A.D. Circular dated 11.02.2015 and principles laid down by 'Hon'ble Supreme Court' in the landmark Judgment of (2013) 15 SCC 732 (T.S.R. Subramanian and Ors. Vs. Union of India & Ors.).</p> <p>15. The 'Co-operation, Marketing and Textile Department' Order dated 31.01.2024 of Respondent No.2 was hastily brought into effect as he was made to immediately join on the post of Applicant on 01.02.2024 in contravention of 'Rule 29' & 'Rule 31' of 'Maharashtra Civil Services (General Conditions of Service) Rules, 1981' which prescribes the procedures to be observed while taking over of charge by relieving 'Government Servant'; the expected role of relieved 'Government Servant' and importantly supervisory oversight in required exceptional circumstances where 'ex-parte' charge is to be taken relieving 'Government Servants' after prior permission of 'Contempt Authority'.</p> <p>16. The 'Co-operation, Marketing and Textile Department' Orders dated 31.01.2024 in respect of the</p>

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	<p>Applicant and Respondent No.2 have been issued without reference to 'Statutory Powers' under Section 4(4)(ii) and Section 4(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. The existence of 'Special Reasons' or 'Exceptional Circumstances' have not been recorded by 'Competent Transferring Authority' and next 'Superior Transferring Authority'. Also the guidelines in G.A.D. Circular dated 11.02.2015 were side stepped by 'Co-operation, Marketing and Textile Department'. Further, the provisions of 'Rule 29' & 'Rule 31' of 'Maharashtra Civil Services (General Conditions of Service) Rules, 1981' were overlooked by the 'District Deputy Registrar of Co-operative Societies, Nashik'. Hence taking into account the facts and circumstances it would be imperative to grant '<i>Status Qua Ante</i>' in favour of Applicant permitting her to forthwith join back on earlier post of 'Assistant Registrar Co-operative Societies, Igatpuri; District Nashik'.</p> <p>17. The 'Co-operation, Marketing and Textile Department' during the 'Interim Period' may transfer Respondent No.2 to any other post or allow him to also join back on his earlier post of 'Assistant Registrar Co-operative Societies; Sindhkheda, District Dhule' till such time both Applicant and Respondent No.2 who have done 'Normal Tenures' of '3 Years' as is admissible under 'Section 3(1)' of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' are required to be transferred during 'General Transfer: 2024'.</p> <p>18. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>19. Issue notice before admission returnable on 21.02.2024.</p>

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	<p>20. 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>21. 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>22. 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>23. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>24. S.O. to 21.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p style="text-align: center;"><u>02.02.2024</u></p> <p style="text-align: center;"><u>O.A 1345/2023</u></p> <p>Shri S.J Pawar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.K Bangoji, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicants pray by way of interim relief that the Respondents be directed to issue order of completion of the probation period in favour of the applicants.'</p> <p>3. Pursuant to our orders dated 29.1.2023, Shri Anoop kumar Yadav, Principal Secretary, Women and Child Welfare Department, was present through Video Conference. The bench posed questions to the Principal Secretary as to when the probation period of the applicants working as Protection Officer (Jr) Class-C from 2015 will be treated as completed.</p> <p>4. Principal Secretary, Women and Child Development Department referred to the Protection Officer (Junior) Group-C in the establishment of Commissionerate of Women and Child Development (Recruitment) Rules, 2014 dated 3.1.2015. He specifically referred to clause 4 & 5 of the said Rules, which is reproduced below:-</p> <p style="padding-left: 40px;">“4. A person appointed to the post shall be required to pass the Departmental Examination and Examination in Hindi and Marathi language according to the rules made in that behalf, if he has not already passed, or has not been exempted from passing this examination.</p> <p style="padding-left: 40px;">5. A person appointed to the post of Protection Officer (Junior), Group-C, shall be on probation for a period of 1 year. Probation period may be extended for a period not exceed 1 year. The person appointed to this post shall complete the probation period satisfactorily. If he/she fails to complete the probation satisfactorily or fails to pass Departmental Examination, if he/she is not</p>

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	<p>found suitable for the post, then he/she shall be liable for termination from the service.”</p> <p>5. The Principal Secretary, has submitted that the probation period of the Protection Officers in the other Divisions, except Konkan Division have been regularized. However, the Deputy Commissioner, Konkan Division has posed a query regarding the probation period to the Commissioner, Women & Child Development Department, who in turn has referred the matter to the Government for its opinion. The Principal Secretary, pointed out that the department is now in the process of conducting the Departmental Examination. However, there has been a stay granted by the M.A.T, Nagpur Bench by order dated 11.1.2024 in O.A 13/2024.</p> <p>6. We find that there has been an inordinate delay in conducting the departmental examination as stipulated in clause 4 of the Recruitment Rules dated 3.1.2015.</p> <p>7. In view of the above, we direct the Respondents to regularize the services of the applicants working as Protection Officers from the Konkan Division, within a period of three weeks from the date of this order. The regularization will be subject to passing of the Departmental Examination.</p> <p>8. Learned C.P.O is directed to file affidavit in reply.</p> <p>9. S.O to 1.3.2024.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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Date: 02.02.2024

O.A. No.1534 of 2023

R.B. BhaleraoApplicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri Jay & Co., learned Advocate for the Applicant and Shri. S.S. Patil , learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned Advocate for Applicant states that Applicant has again made application to the 'Director General of Police, Maharashtra State, Mumbai' on 21.01.2024 requesting to transfer him from the establishment of the 'Commissioner of Police, Greater Mumbai' to 'Commissioner of Police, Nashik' on grounds of 'Husband and Wife' to be posted together in Nashik.

3. Learned Advocate for the Applicant further states that first Application dated 04.04.2022 was submitted by Applicant to 'Commissioner of Police, Greater Mumbai on grounds that 'Husband & Wife' be posted together Nashik; because 'Wife' of the Applicant was serving as 'Branch Manager' of 'Bank of Maharashtra in Nashik. However, the urgency now is that the 'Wife' of Applicant has to single handedly take care of an one 'Infant' who is just few months old and another 'Infant' who is aged about 2 Years.

4. Learned Advocate for the Applicant in this context further submits that as some officers in the rank of 'A.P.I.' who are now serving in the establishment of

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'Commissioner of Police Nashik' are likely to be transferred upon implementation of directions in 'Election Commissioner of India' letter dated 21.12.2023 on grounds of serving in 'Home District' or having completed 3 Years tenure of last 4 Years; then in such case long standing request submitted by Applicant 04.04.2022 be considered and he be transferred to any post of 'API' in establishment of 'Commissioner of Police, Nashik'.

5. Learned Advocate for Applicant seeks permission to include 'DGP, Maharashtra State' as Respondent No.2. Accordingly permission is granted to include 'DGP, Maharashtra State' as Respondent No.2'

6. Learned PO then states that in view of these specific observations; he will seek instructions if the request of Applicant submitted recently on 25.01.2024 to 'DGP Maharashtra State' can be considered sympathetically and Applicant can posted on any post of 'API' in establishment of 'Commissioner of Police, Nashik'.

7. Learned PO also seek some time to file 'Affidavit-in -Reply' on behalf of 'Home Department' and 'DGP, Maharashtra State'.

8. S.O. to 09.02.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

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	<p>Date: 02.02.2023</p> <p>O.A. No.1562 of 2023</p> <p>D.B. Tamhane & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P. Mahajan, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO states that the 'Transport Commissioner, Mumbai' has conveyed that they have now deferred the exercise of redeployment of all 'Assistant Inspector of Motor Vehicles' including the Applicants who are serving under of 'R.T.O. Pune'. However, they will consider such cases of redeployment of 'Assistant Inspector of Motor Vehicles' later along with the 'General Transfers of 2024.</p> <p>3. Learned PO therefore informed to file the 'Affidavit-in-Reply in 'Two Weeks' on behalf of 'Transport Commissioner, Mumbai'.</p> <p>4. 'Interim Relief' to continue till 'Next Date'.</p> <p>5. S.O. to 16.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

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	<p>Date: 02.02.2024</p> <p>O.A. No.1457 of 2023</p> <p>A.D. NikoseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant requested that early reply be sought in respect of 'Additional Information' from the office of 'Charity Commissioner, Maharashtra State, Mumbai' with respect to directions in 'Para 4' of the Order dated 23.01.2024.</p> <p>3. Learned PO states that she has received information as per direction in 'Para 4' of Order dated 23.01.2024 from the office of 'Charity Commissioner, Maharashtra State Mumbai' wherein it has been specifically stated that there are none amongst the 20 'Inspectors' presently working in 'Public Trust Registration Office, Nagpur' at present due for transfer and that none of these 20 'Inspectors' have requested for transfer to 'Head Office' located in Mumbai. Further; the office of 'Charity Commissioner, Maharashtra State Mumbai' has also conveyed that the exercise of 'General Transfer: 2024' has been initiated on 19.01.2024 and it is expected to be completed by 31.05.2024.</p> <p>5. Learned PO states that she is going to file 'Affidavit-in-Rejoinder' on behalf of 'Charity Commissioner, Maharashtra State Mumbai'.</p> <p>6. Learned PO also seeks liberty to 'Annex' this letter received on 01.01.2024 from office of 'Charity Commissioner, Maharashtra State; and Mumbai' with 'Affidavit-in-Rejoinder'.</p> <p>7. S.O. to 09.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

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Date: 02.02.2024

O.A. No.1597 of 2023

B.S. SatheApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. Learned Advocate for the Applicant states that the correct information is not being disclosed by 'District Collector, Sangli' in respect of the observations made in 'Para 3' of the order dated 12.01.2024. In this regard he submits copy of Transfer Order of 'Awal Karkoons' dated 29.01.2024 which includes 'Awal Karkoon' who has been transferred out of 'Tahsil Office, Kadegaon District Sangli'.

3. Learned Advocate then states that as of today there are 'Vacant' Posts of 'Awal Karkoon' in 'Tahsil Office, Kadegaon, District Sangli'.

4. Learned PO therefore informed to further seek correct information as per directions in 'Para 3' of Order dated 12.01.2024 with regard to 'Vacant Post' of 'Awal Karkoon' in 'Tahsil Office, Kadegaon, District Sangli' which were available at the time of (i) 'Modified Transfer Order' of Applicant dated 12.12.2023 and (ii) 'New Transfer Order' of 'Awal Karkoons', dated 01.02.2024.

5. S.O. to 09.02.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

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Date: 02.02.2023

O.A. No.1535 of 2023

P.V. GavteApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Jay & Co. learned Advocate and Shri. S.S. Patil, learned Advocate for the Applicant and Smt. Archana B.K. learned Presenting Officer for the Respondents.

2. Learned Advocate for Applicant states now they have sought information under RTI Act 2005, to substantiate grounds of discrimination against Applicant; because several 'Transfer Orders' have been issued by 'D.G.P. Maharashtra State' from 2020 to 2023 based on similar requests for posting of 'Husband & Wife' together which had been made by other 'Police Inspectors'.

3. Learned P.O. seeks 'Two Weeks' time to seek information and file 'Affidavit-in-Reply' on behalf of the Respondents. Time of 'Two Weeks' as prayed for is granted to learned P.O.

4. Learned PO requested to also ascertain if the Applicant's case can be considered by 'D.G.P. Maharashtra State' for transfer any post of 'Police Inspector' under 'SP Nanded' in the course of exercise being done for implementation of directions in 'Election Commissioner of India' letter dated 21.12.2023 as the 'Wife' of Applicant is serving of post of 'Police Head Constable' in establishment of 'SP, Nanded'.

5. Learned PO submits that she will require some time to file 'Affidavit-in-Reply'. Time of 'One Week' as prayed for is granted to learned PO.

6. S.O. to 09.02.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

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	<p>Date: 02.02.2024</p> <p align="center">O.A. No.129 of 2024</p> <p>S.M. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt Archana B.K., learned Presenting Officers for the Respondents.</p> <p>2. Learned Advocate for Applicants states that Applicants was working as Police 'Inspector' in 'Special Branch' under 'Commissioner of Police, Thane' has been transferred to establishment of 'Commissioner of Police, Amravati' by 'D.G.P., Maharashtra State' dated 30.01.2024.</p> <p>3. Learned P.O. states that transfers which have been effected by 'D.G.P. Maharashtra State' Order dated 30.01.2024 are in accordance with the directions in 'Election Commission of India letter dated 21.12.2023' and upon observance of provisions of law under 'Section 22 N' of 'Maharashtra Police Act, 1951'.</p> <p>4. The issues which have been raised relate primarily to transfers of 'Police Inspectors' by 'D.G.P. Maharashtra State' Order dated 30.01.2022 against the backdrop of directions in 'Election Commission of India letter dated 21.12.2023'.</p> <p>5. The 'Home Department' had in the meanwhile sought clarifications on 16.01.2024 with regard to directions in 'Election Commission of India letter dated 21.12.2023' from 'Chief Electoral Officer, Maharashtra State'. Subsequently appropriate clarifications came to be issued by 'Election Commission of India' letter dated</p>

[P.T.O.]

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	<p>19.01.2024 to 'Chief Electoral Officer, Maharashtra State' in the context of the earlier letter of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' dated 09.01.2024 in which separate 'Annexure' was attached to indicate the directions in 'Election Commission of India letter dated 21.12.2023' and presumptions made by office of 'D.G.P. Maharashtra State, Mumbai'. In this 'Annexure' at 'Serial No.5' the presumption made by office of 'D.G.P. Maharashtra State' was as to whether directions with regard to period of posting of 'Three Years' out of last 'Four Years' were also applicable to 'Police Officers' posted in 'Specialized Agencies' such as 'State Intelligence Department, Crime Intelligence Department, Anti-Terrorist Squad, Protection of Civil Rights, Police Training Centres, Highway Safety Patrols etc.' The presumption at 'Sr. No.5' made by the office of 'D.G.P. Maharashtra State' therefore was about the extent of interpretation to be made about the phrase 'Functional Departments' used in the context of 'Computerization, Special Branch Training' etc. in 'Para 5.3' of 'Election Commission of India letter dated 21.12.2023'.</p> <p>6. The 'Election Commission of India letter dated 19.01.2024' addressed to 'Chief Electoral Officer, Maharashtra State' clarifies about these presumptions made by office of 'D.G.P., Maharashtra State, Mumbai' by directing that entire tenure in 'Revenue District' should be counted irrespective of establishments of 'Police Commissioners' or 'Superintendents of Police' or even 'Branch of Posting'. Hence, from the nature of clarifications subsequently issued by 'Election Commission of India' on 19.01.2024 and again on 24.01.2024 regarding the presumptions made by office of 'D.G.P., Maharashtra State' it becomes necessary to seek the presence of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' to ascertain as to how these revised clarifications are to be understood and implemented by 'D.G.P., Maharashtra State' as well as 'Heads of Specialized Agencies' and by all field establishments of (i) 'Commissioners of Police' (ii) 'Special IGP's' and (iii) 'Superintendents of Police'.</p> <p>7. Learned P.O. accordingly to urgently convey these observations to 'Deputy Secretary' & 'Joint Chief</p>

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	<p>Electoral Officer, Maharashtra State, Mumbai'. Till such time as final views of 'Chief Electoral Officer, Maharashtra State, Mumbai' are received through 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' about expected course of action regarding subsequent clarifications made by 'Election Commission of India letters dated 19.01.2024' and 24.01.2024 read with standing instructions at 'Sr. No.5' of Election Commission of India letter dated 21.12.2023' especially in respect of 'Police Officers' who are serving in 'Functional Departments' such as 'Computerization, Special Branches Training etc.; the implementation of the 'Order' of 'D.G.P. Maharashtra State, Mumbai' dated 30.01.2024 be held in abeyance 'Qua the Applicants'. The Applicants in the meanwhile are accordingly allowed to work on their respective posts as on 01.02.2024.</p> <p>8. Learned Advocate for Applicant states that she would like to amend this O.A No.129 of 2024 by adding 'Chief Electoral Officer, Maharashtra State.' as 'Respondent No.4'.</p> <p>9. S.O. to 09.02.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 02.02.2024</p> <p align="center">O.A. No.124 of 2024 to O.A. No.127 of 2024</p> <p>K.D. Patil R.P. Bobade D.D. Dhadge S.B. GodaseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule alongwith Smt Archana B.K., learned Presenting Officers for the Respondents.</p> <p>2. Learned Advocate for Applicants states that Applicants were working as 'Police Inspectors' under 'Commissioner of Police, Pimpri-Chinchwad' and have been transferred to establishment of 'Commissioner of Police, Nagpur' by 'D.G.P., Maharashtra State' Order dated 30.01.2024.</p> <p>3. Learned P.O. states that transfers which have been effected by 'D.G.P. Maharashtra State' Order dated 30.01.2024 are in accordance with the directions in 'Election Commission of India letter dated 21.12.2023' and upon observance of provisions of law under 'Section 22 N' of 'Maharashtra Police Act, 1951'.</p> <p>4. The issues which have been raised relate primarily to transfers of 'Police Inspectors' by 'D.G.P. Maharashtra State' Order dated 30.01.2022 against the backdrop of directions in 'Election Commission of India letter dated 21.12.2023'.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The 'Home Department' had in the meanwhile sought clarifications on 16.01.2024 with regard to directions in 'Election Commission of India letter dated 21.12.2023' from 'Chief Electoral Officer, Maharashtra State'. Subsequently appropriate clarifications came to be issued by 'Election Commission of India' letter dated 19.01.2024 to 'Chief Electoral Officer, Maharashtra State' in the context of the earlier letter of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' dated 09.01.2024 in which separate 'Annexure' was attached to indicate the directions in 'Election Commission of India letter dated 21.12.2023' and presumptions made by office of 'D.G.P. Maharashtra State, Mumbai'. In this 'Annexure' at 'Serial No.5' the presumption made by office of 'D.G.P. Maharashtra State' was as to whether directions with regard to period of posting of 'Three Years' out of last 'Four Years' were also applicable to 'Police Officers' posted in 'Specialized Agencies' such as 'State Intelligence Department, Crime Intelligence Department, Anti-Terrorist Squad, Protection of Civil Rights, Police Training Centres, Highway Safety Patrols etc.' The presumption at 'Sr. No.5' made by the office of 'D.G.P. Maharashtra State' therefore was about the extent of interpretation to be made about the phrase 'Functional Departments' used in the context of 'Computerization, Special Branch Training' etc. in 'Para 5.3' of 'Election Commission of India letter dated 21.12.2023'.</p> <p>6. The 'Election Commission of India letter dated 19.01.2024' addressed to 'Chief Electoral Officer, Maharashtra State' clarifies about these presumptions made by office of 'D.G.P., Maharashtra State, Mumbai' by directing that entire tenure in 'Revenue District' should be counted irrespective of establishments of 'Police Commissioners' or 'Superintendents of Police' or even 'Branch of Posting'. Hence, from the nature of clarifications subsequently issued by 'Election Commission of India' on 19.01.2024 and again on 24.01.2024 regarding the presumptions made by office of 'D.G.P., Maharashtra State' it becomes necessary to seek the presence of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' to ascertain as to how these revised clarifications are to be understood and implemented by 'D.G.P., Maharashtra State' as well as 'Heads of Specialized Agencies' and by</p>

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	<p>all field establishments of (i) 'Commissioners of Police' (ii) 'Special IGP's' and (iii) 'Superintendents of Police'.</p> <p>7. Learned P.O. accordingly to urgently convey these observations to 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai'. Till such time as final views of 'Chief Electoral Officer, Maharashtra State, Mumbai' are received through 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' about expected course of action regarding subsequent clarifications made by 'Election Commission of India letters dated 19.01.2024' and 24.01.2024 read with standing instructions at 'Sr. No.5' of Election Commission of India letter dated 21.12.2023' especially in respect of 'Police Officers' who are serving in 'Functional Departments' such as 'Computerization, Special Branches Training etc.; the implementation of the 'Order' of 'D.G.P. Maharashtra State, Mumbai' dated 30.01.2024 be held in abeyance 'Qua the Applicants'. The Applicants in the meanwhile are accordingly allowed to work on their respective posts as on 01.02.2024.</p> <p>8. Learned Advocate for Applicant states that she would like to amend these O.A No.124 of 2024 to O.A. No.127 of 2024 by adding 'Chief Electoral Officer, Maharashtra State.' as 'Respondent No.4'.</p> <p>9. S.O. to 09.02.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p>Date: 02.02.2024</p> <p style="text-align: center;">O.A. No.123 of 2024</p> <p>R.T. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officers for the Respondents.</p> <p>2. Learned Advocate for Applicants states that Applicants who was working as 'Police 'Inspector' in 'Traffic Branch' under 'Commissioner of Police, Pune' has been transferred to establishment of 'Commissioner of Police, Nagpur' by 'D.G.P., Maharashtra State' Order dated 30.01.2024.</p> <p>3. Learned P.O. states that transfers which have been effected by 'D.G.P. Maharashtra State' Order dated 30.01.2024 are in accordance with the directions in 'Election Commission of India letter dated 21.12.2023' and upon observance of provisions of law under 'Section 22 N' of 'Maharashtra Police Act, 1951'.</p> <p>4. The issues which have been raised relate primarily to transfers of 'Police Inspectors' by 'D.G.P. Maharashtra State' Order dated 30.01.2022 against the backdrop of directions in 'Election Commission of India letter dated 21.12.2023'.</p> <p>5. The 'Home Department' had in the meanwhile sought clarifications on 16.01.2024 with regard to directions in 'Election Commission of India letter dated 21.12.2023' from 'Chief Electoral Officer, Maharashtra State'. Subsequently appropriate clarifications came to be issued by 'Election Commission of India' letter dated</p>

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

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19.01.2024 to 'Chief Electoral Officer, Maharashtra State' in the context of the earlier letter of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' dated 09.01.2024 in which separate 'Annexure' was attached to indicate the directions in 'Election Commission of India letter dated 21.12.2023' and presumptions made by office of 'D.G.P. Maharashtra State, Mumbai'. In this 'Annexure' at 'Serial No.5' the presumption made by office of 'D.G.P. Maharashtra State' was as to whether directions with regard to period of posting of 'Three Years' out of last 'Four Years' were also applicable to 'Police Officers' posted in 'Specialized Agencies' such as 'State Intelligence Department, Crime Intelligence Department, Anti-Terrorist Squad, Protection of Civil Rights, Police Training Centres, Highway Safety Patrols etc.' The presumption at 'Sr. No.5' made by the office of 'D.G.P. Maharashtra State' therefore was about the extent of interpretation to be made about the phrase 'Functional Departments' used in the context of 'Computerization, Special Branch Training' etc. in 'Para 5.3' of 'Election Commission of India letter dated 21.12.2023'.

6. The 'Election Commission of India letter dated 19.01.2024' addressed to 'Chief Electoral Officer, Maharashtra State' clarifies about these presumptions made by office of 'D.G.P., Maharashtra State, Mumbai' by directing that entire tenure in 'Revenue District' should be counted irrespective of establishments of 'Police Commissioners' or 'Superintendents of Police' or even 'Branch of Posting'. Hence, from the nature of clarifications subsequently issued by 'Election Commission of India' on 19.01.2024 and again on 24.01.2024 regarding the presumptions made by office of 'D.G.P., Maharashtra State' it becomes necessary to seek the presence of 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' to ascertain as to how these revised clarifications are to be understood and implemented by 'D.G.P., Maharashtra State' as well as 'Heads of Specialized Agencies' and by all field establishments of (i) 'Commissioners of Police' (ii) 'Special IGP's' and (iii) 'Superintendents of Police'.

7. Learned P.O. accordingly to urgently convey these observations to 'Deputy Secretary' & 'Joint Chief

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	<p>Electoral Officer, Maharashtra State, Mumbai'. Till such time as final views of 'Chief Electoral Officer, Maharashtra State, Mumbai' are received through 'Deputy Secretary' & 'Joint Chief Electoral Officer, Maharashtra State, Mumbai' about expected course of action regarding subsequent clarifications made by 'Election Commission of India letters dated 19.01.2024' and 24.01.2024 read with standing instructions at 'Sr. No.5' of Election Commission of India letter dated 21.12.2023' especially in respect of 'Police Officers' who are serving in 'Functional Departments' such as 'Computerization, Special Branches Training etc.; the implementation of the 'Order' of 'D.G.P. Maharashtra State, Mumbai' dated 30.01.2024 be held in abeyance 'Qua the Applicants'. The Applicants in the meanwhile are accordingly allowed to work on their respective posts as on 01.02.2024.</p> <p>8. Learned Advocate for Applicant states that she would like to amend this O.A No.123 of 2024 by adding 'Chief Electoral Officer, Maharashtra State.' as 'Respondent No.4'.</p> <p>9. S.O. to 09.02.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 02.02.2024</p> <p>O.A. No.1350 of 2023</p> <p>T.B. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.A. Tambe, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri. R.A. Agashe, Learned Advocate for the Respondent No. 2.</p> <p>2. Learned Advocate for the Applicant seeks 'Four Weeks' time to file 'Affidavit-in-Rejoinder'. Time as prayed for is granted to learned Advocate for the Applicant.</p> <p>3. Adjourned <i>by</i> 'Four Weeks'.</p> <p>4. S.O. to 01.03.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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	<p style="text-align: center;"><u>O.A.96/2024 (DB-2)</u></p> <p>M.M. Bhogate ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Heard Smt. Priyanka Naik, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.2. The learned Advocate for Applicant states that Applicant had appeared in the 'State Services Main Examination 2022' under reservation for 'Mental Illness/Multiple Disability'. Applicant is now placed at Sr. No.9 of the 'General Merit List' for candidates with 'Mental Illness/Multiple Disability' and challenges the 'Disability Certificate' of Respondent No.2 as it was submitted by him One & Half Year after MPSC Advertisement was issued for 'State Services Preliminary Exam 2022'. Therefore, as issues are similar, this OA No.96/2024 be kept with OA No.88/2024 and OA No.106/2024 on 6th February, 2024.3. Issue notice returnable on 06.02.2024.4. 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.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.

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

7. 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.

8. 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.

9. S.O. to 6th February, 2024.

S//
(Debashish Chakrabarty)
Member-A
02.02.2024

(skw)

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	<p style="text-align: center;"><u>O.A.109/2024 (DB-2)</u></p> <p>A.V. Lengare ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Heard Smt. Priyanka Naik, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.2. The learned Advocate for Applicant states that Applicant who was working as 'Sepoy' at 'Kalamba Central Jail, Kolhapur' has been dismissed from service by Deputy Inspector General of Prisons, Western Region, Pune on 19.12.2023 under provisions of Article 311(2)(b) of Constitution of India.3. Issue notice returnable on 26.02.2024.4. 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.6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open.7. 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.

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

8. 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.

9. S.O. to 26th February, 2024.

sd/-
(Debashish Chakrabarty)
Member-A
02.02.2024

(skw)


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	<p style="text-align: center;"><u>O.A. No.1498 of 2023</u></p> <p>S.C. Pujari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The respondents are directed to file reply positively.</p> <p>3. S.O. to 14.2.2024.</p> <p style="text-align: right;">Sd/-  (Medha Gadgil) Member (A) 2.2.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.1455 of 2023</u></p> <p>Dr. A.N. Kumbhar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, 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 retired on 31.1.2021 from the post of Dy. Registrar, Cooperative Department, Mumbai. Ld. Advocate submits that the applicant has not been given pensionary benefits although there is no DE or criminal case pending against him.</p> <p>3. Ld. PO seeks time to file reply and states that Pay Verification Unit has raised some objections regarding recovery on 4.12.2021.</p> <p>4. It is surprising to note that a period of 3 years had lapsed.</p> <p>5. Admit.</p> <p>6. S.O. to 16.2.2024 for final hearing. A responsible officer from the Cooperation is directed to remain present on the next date.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 2.2.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.1089 of 2023</u></p> <p>P.D. Suryavanshi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 7.3.2024 for final hearing with liberty to file rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 2.2.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.132 of 2023</u></p> <p>G.B. Nerkar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri I.I. Patel, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 22.2.2024 for final hearing with liberty to file rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 2.2.2024</p> <p>(sgj)</p>

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	<p><u>M.A. No.72 of 2023 with O.A. No.124 of 2023</u></p> <p>A.A. Mane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Applicant in person is absent.</p> <p>2. Applicant in person was absent on 26.9.2023, 10.10.2023, 8.11.2023, 4.12.2023, 2.1.2024 & 25.1.2024. Today also the applicant in person is not present. Neither the copy of OA nor MA is served in the office of Ld. CPO. It appears that applicant is not interested in prosecuting his case.</p> <p>3. MA and OA both are dismissed for want of prosecution.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 2.2.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>MA.29/2023 in RA.1/2023 in OA.87/2019</u></p> <p>M.M.Y. Daruwala ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. Id. PO submits that MA and RA be heard together.</p> <p>3. S.O. to 27.2.2024.</p> <p style="text-align: right;">Sd/- (Medhā Gadgil) Member (A) 2.2.2024</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.111 of 2024

G.R. Popalghat ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief 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 28.2.2024. 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)
2.2.2024

(sgj)

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

Tribunal's orders

O.A. No.110 of 2024

S.S. Lohar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief 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 28.2.2024. 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)
2.2.2024

(sgj)

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

O.A. No.101 of 2024

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

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, 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 23.2.2024. 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)
2.2.2024

(sgj)

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

Tribunal's orders

O.A. No.84 of 2024

Y.P. Khonore

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri L.S. Deshmukh, learned Advocate for the Applicant and Smt. K.S. Gaikwad, 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 27.2.2024. 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)

2.2.2024

(sgj)

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	<p align="center">02.02.2024</p> <p align="center">Tribunal's orders</p> <p align="center">O.A 361/2022 & ORS</p>
	<p>L.K Shinde & Ors ... Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. We direct all the applicants to remain present on 5.2.2024 at 12.00 hrs.</p> <p>3. Learned C.P.O submits that as the applicants are coming, they be directed to come with the Original Certificates.</p> <p>4. We direct all the applicants to bring their Original Certificates on 5.2.2024. We further direct Shri Sandeep Dere, learned counsel for the applicants to communicate this order to all the applicants.</p> <p>5. Learned counsel submitted that Mr Pravin P. Shinde, applicant in O.A No 108/2020 & 469/2020 is present today before this Tribunal.</p> <p>6. S.O to 5.2.2024 at 12.00 hrs.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">SD/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Date : 02.02.2024

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

M.A.No.68/2024 in O.A.No.864/2022Tribunal's orders
The State of Mah & Ors

.....Applicants(Org. Respd)

Vs.

R.G. Kore

....Respondents (Org. Appl)

1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicant (Org. Respondent).

2. M.A.No.68/2024 is filed seeking transfer of O.A. from Nagpur Bench to Principal Bench at Mumbai under Section 25 of the Administrative Tribunals Act, 1985.

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

4. Issue notice before admission returnable on 23.02.2024.

5. 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 M.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.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. 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.

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

9. All the concerns are to be served copy of M.A.

10. Adjourned to 23.02.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Date : 02.02.2024

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

**M.A.No.21/2024 Mumbai (intervener) in
M.A.664/2023 (Nag) in O.A.1242/2023 (Nag)**

A.N. Telang (M.A.21/2024)

K.V. Jadhav & Ors.(M.A.No.664/2023)

....Applicants

Vs.

The State of Maharashtra & Ors.Respondents

1. Heard Mr. A. Khandekar, learned Counsel for the Respondent No.4 and Ms. Archana B.K. learned Presenting Officer for the Respondents.

2. M.A.No.21/2024 is filed seeking transfer of O.A. from Nagpur Bench to Principal Bench at Mumbai under Section 25 of the Administrative Tribunals Act, 1985.

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

4. Issue notice before admission returnable on 23.02.2024.

5. 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 M.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.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. 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.

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

9. All the concerns are to be served copy of M.A.

10. Adjourned to 23.02.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Date : 02.02.2024

Office Notes, Office Memoranda of Coram,
Appearances, Tribunal's orders or
Directives and Registrar's orders

M.A.No.20/2024 in O.A.No.1228/2023 (Nagpur)
Tribunal's orders

M.M. Tate

Respondent No.4

Vs.

N.S. Bhogle & Ors.

Applicant and Respd

1. Heard Mr. A. Khandekar, learned Counsel for the Respondent No.4 and Ms. Archana B.K. learned Presenting Officer for the Respondents.

2. M.A. is filed seeking transfer of O.A. from Nagpur Bench to Principal Bench at Mumbai under Section 25 of the Administrative Tribunals Act, 1985.

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

4. Issue notice before admission returnable on 23.02.2024.

5. 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 M.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.

6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

7. 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.

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

9. Respondent No.4 is directed to serve the copy of M.A. to all the concern.

10. Adjourned to 23.02.2024.

Sd/-

/ (Mridula Bhatkar, J.)
Chairperson