

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**

**ORIGINAL APPLICATION NO.494 OF 2023**

S.K. Nachare & Ors. ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

Mr. S.S. Dere, learned advocate for the Applicants

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

Date : 04.05.2023

CORAM : JUSTICE MRIDULA BHATKAR, CHAIRPERSON

**SPEAKING TO THE MINUTES**

1. Learned counsel for the applicants submit that in the order dated 02.05.2023 in para no.6, last line, the date "05.05.2023" is mentioned. However, it should be read as "05.06.2023".
2. The date "05.05.2023" should be read as "05.06.2023".
3. Ordered accordingly.

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

prk



2. Learned Advocate for the Applicants has relied on the Notification dated 15.04.1994 wherein Rule 5, sub rule (a) of the Recruitment Rules pertain to the appointment of feeder cadre of the Senior Clerk.

“5. Appointment to the post of Senior Clerk shall be made either—

(a) by promotion of a suitable person on the basis of seniority subject to the fitness from amongst the persons holding the post of Junior Clerk having not less than 3 years regular service in that post;”

3. Learned Advocate has submitted that in the year 1958 by Recruitment Rules dated 10.12.1958 (page 32) the posts of Karkoons and Computers, Signallers were created in the Public Works Department. These all posts were to be filled up by nomination. For the post of Computers the candidates who are not more than 25 years of age and having SSC pass examination with mathematics or equivalent examination recognized by the Government were eligible and the persons who have practical experience of mensuration and calculation will be given preference as per proviso. Learned Advocate has submitted that G.R. dated 25.11.2004 is not referred in Circular dated 16.08.2019. The said circular dated 16.08.2019 is challenged in this matter and he pressed for interim relief that no promotions on the basis of Provisional Seniority List dated 28.03.2023 are to be given.

4. Learned C.P.O. has submitted that the provisional seniority list is published on 28.03.2023 and the final seniority list is yet to be published, hence the O.A. is premature. She has further submitted that she wants to take instructions whether the applicants have submitted their objections and whether all the objections are considered.

5. On instructions from the Applicants who are present today in the Court learned Advocate Mr. Dere informs that no applicant has raised objection in writing to this provisional list and as on today. Learned Advocate Mr. Dere has submitted that the Applicants have filed representations dated 30.11.2021, 14.12.2021, 12.01.2022, 07.11.2022 etc in respect of the Circular dated 16.08.2019, and now the applicants want to give fresh representation challenging the said circular. Learned Advocate has submitted that the applicants will submit representation / objection to the Provisional Seniority List dated 28.03.2023 forthwith.

6. In view of the submissions made by learned Advocate time to consider the objections and representation is extended by four weeks to enable Respondents to decide all the representations made by the Applicants, regarding the Provisional Seniority List dated 28.03.2023 as on 01.01.2022 and circular. The applicants may submit the objections to the Provisional Seniority List dated 28.03.2023 till 05.05.2023 and if any objections are received the same are to be decided by 05.06.2023 and thereafter be communicated to the Applicants till 12.06.2023. If at all any representation to circular dated 16.08.2019 is made by the Applicants, the Respondents are directed to decide the said representations also on or before 05.05.2023.

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

8. Issue notice before admission returnable on 26.06.2023.

9. 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.

10. 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.

11. 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.

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

13. In view of above, matter adjourned to 26.06.2023 for reply.

Sd/-

**(Mridula Bhatkar, J.)**  
**Chairperson**

prk



the applicant and has protected those applicants from reversion. Learned Advocate has therefore submitted that on parity, prays by way of interim relief the applicant also should not be reverted. Learned Advocate has submitted that this reply is not decided by the Respondent till date. He has further submitted that the applicants in O.A.No.171/2023, have given reply and the said reply is also not decided. Learned Advocate has further submitted that the applicant was promoted on 24.02.2021.

3. Learned P.O. for the Respondents has pointed out that the show cause notice dated 23.12.2022 was given to the applicant which is under challenge. To the said show cause notice the applicant has submitted reply in January 2023, which was received by the office of Respondent on 17.01.2023. Learned P.O. has pointed out to the order dated 24.03.2023. She has submitted that the applicant was called for personal hearing on 31.03.2023. She has submitted that she would like to take instructions whether the applicant has responded the said communication by appearing personally for hearing on 31.03.2023. She has submitted that pursuant to the order dated 18.04.2023, the Resident Deputy Secretary, Kolhapur has given order that the final seniority list upto 01.01.2023 be published.

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

5. Issue notice before admission returnable on 20.06.2023.

6. 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.

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

8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

10. Adjourned to 20.06.2023 till then no coercive action of reverting the applicant is to be taken.

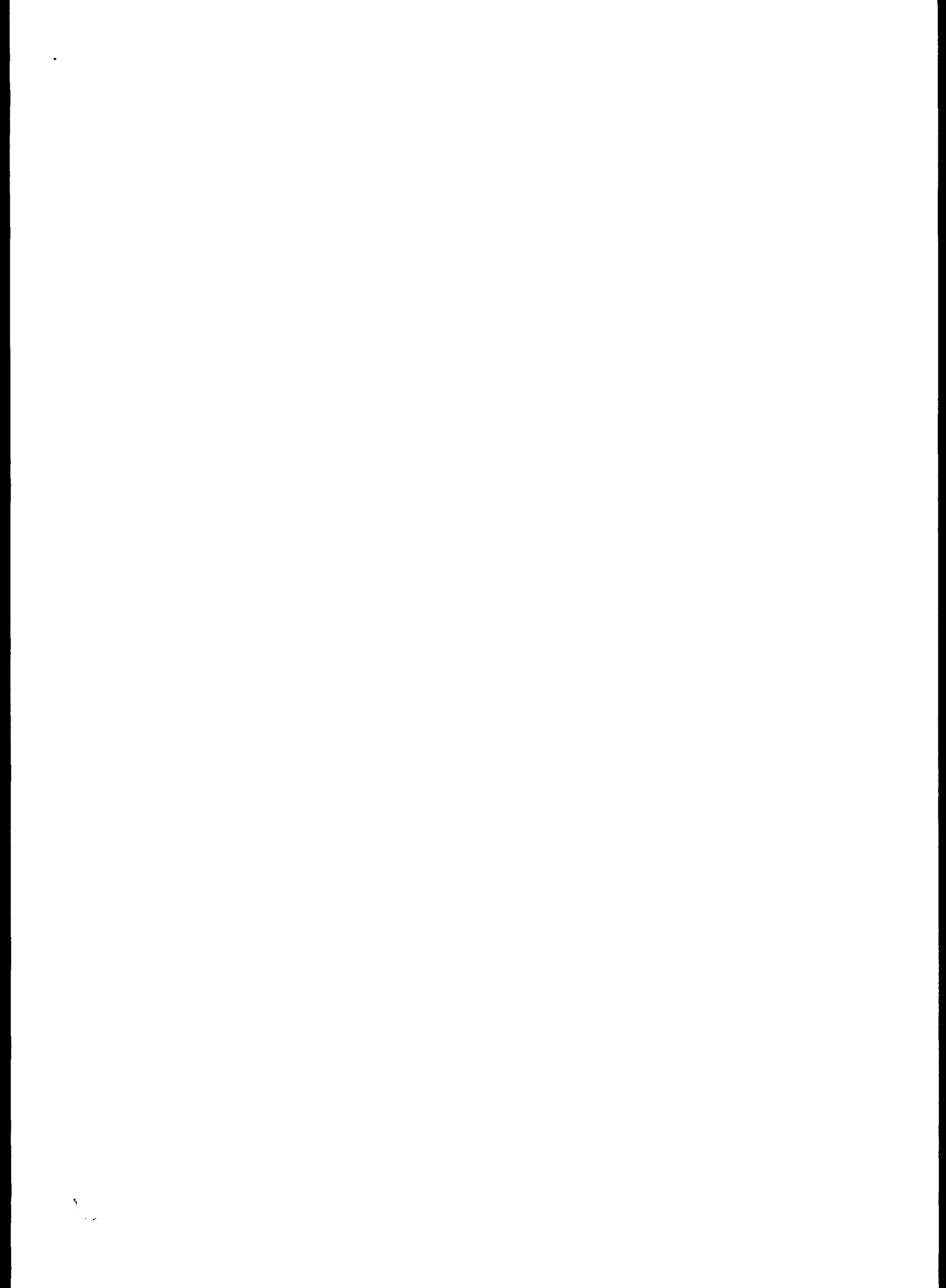
Sd/-

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**(Mridula Bhatkar, J.)**  
**Chairperson**

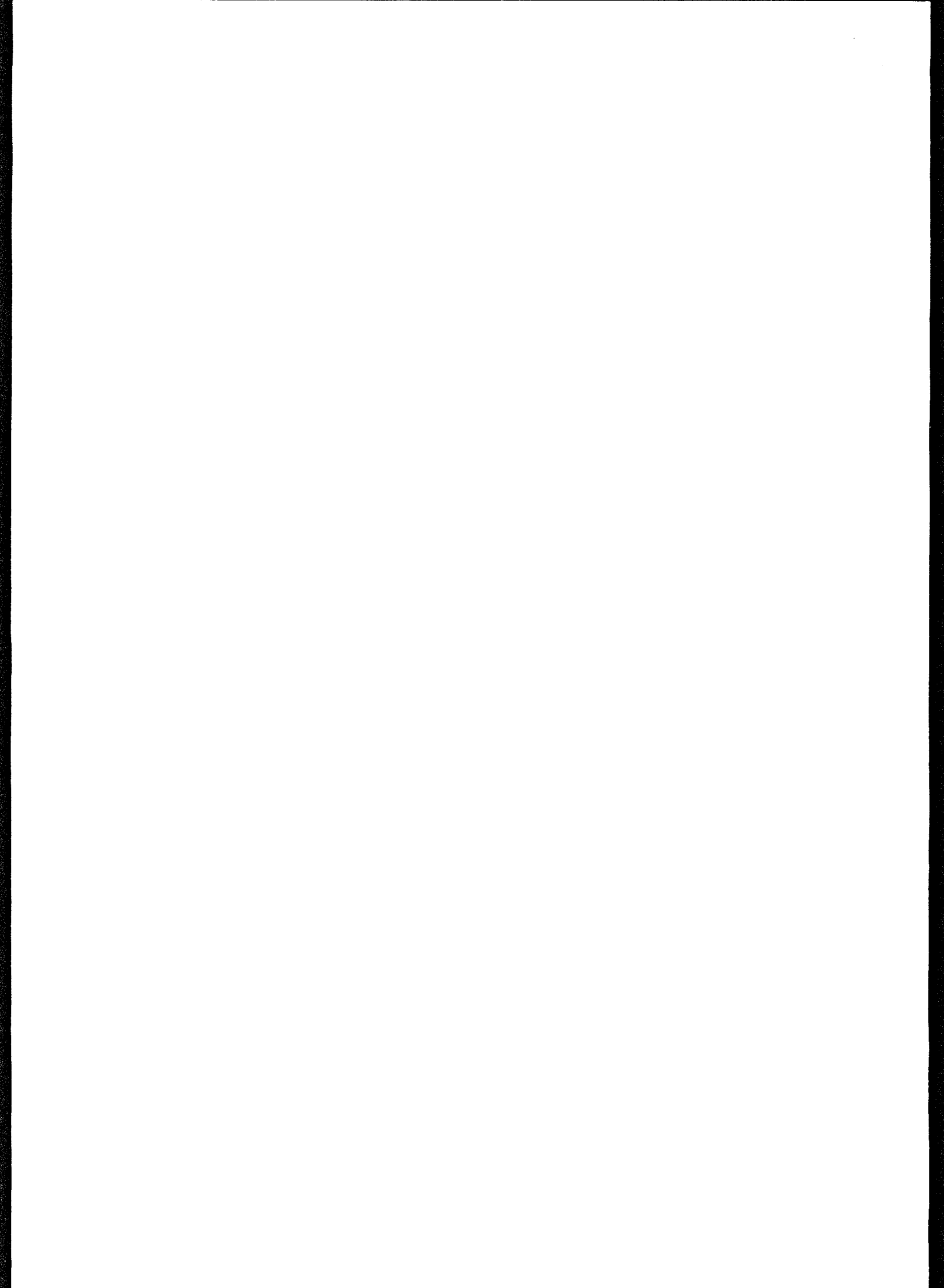
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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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><b><u>02.05.2023</u></b></p> <p align="center"><b><u>O.A 317/2021 with O.A 1306 and 1064/2022</u></b></p> <p>N.B Pokale &amp; Ors S.A More &amp; Ors M.S Jamdade &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, Mrs Punam Mahajan and Shri Vijay Singh i/b Shri A.A Desai, learned advocate for the applicants in respective O.As, Ms Swati Manchekar, learned C.P.O for the Respondents no 1&amp; 2 and Shri M.D Lonkar, learned counsel for Respondents no 5 to 9 added as per order dated 21.10.2022 and Respondents no 1 to 5, added as per order dated 29.3.2023.</p> <p>2. Learned counsel Mr Singh submits that he wants to file rejoinder on behalf of Respondents no. 1 to 4 and 6. He submitted that Respondent no. 5 has not filed affidavit in reply. Matter to proceed without reply.</p> <p>3. Learned counsel Ms Mahajan submits that the intervenors have not filed affidavit in reply. Mr Lonkar, learned counsel for the Intervenors seek time to file reply. Reply to be filed on or before 26.5.2023 and copy be served on the learned counsel for the applicants. Learned counsel Ms Mahajan submits that she has filed additional affidavit in rejoinder today and copy is served on the Respondents.</p> <p>4. Learned counsel for the applicants are directed to file their reply on or before 26.5.2023 and copy be served on the Respondents.</p> <p>5. S.O to 6.6.2023 to verify whether the pleadings are completed.</p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**02.05.2023**

**O.A 1198/2022**

Shri G.M Chaudhari ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri G.B Solanke, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O is directed to file reply by way of last chance.

3. S.O to 13.6.2023.

Sd/-

**(Mridula Bhatkar, J.)  
Chairperson**

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**02.05.2023**

**O.A 1075/2022**

Shri A.M Amtram ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O is directed to file sur-rejoinder till 5.6.2023.

3. S.O to 13.6.2023.

Sd/-

**(Mridula Bhatkar, J.)  
Chairperson**

Akn



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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02.05.2023

O.A 345, 363 & 365/2023

R.D Akrupe  
R.D Munde  
V.D Suryavanshi ... Applicants  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O files affidavit in reply and copy is taken on record. Same is served on the other side.

3. S.O to 3.5.2023.

Sd/-

**(Mridula Bhatkar, J.)  
Chairperson**

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 02.05.2023</b></p> <p align="center"><b>O.A. No.58 of 2023</b></p> <p><b>A.D. More</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing it is noticed that by impugned order dated 22.12.2021 Applicant was posted at Crime Investigation Department (CID), Kokan Bhavan, Navi Mumbai for 8 months only. Now, the period of more than 16 months is over but he is still continued at Navi Mumbai. That apart, learned Advocate for the Applicant has challenged the legality of order dated 22.12.2021 whereby the Applicant is <del>showing</del><sup>showing</sup> posted at CID, Amravati but temporary attached to Kokan Bhavan, Mumbai. He submitted that the Applicant is retiring at the end of June 2023 and requested to expedite the matter.</p> <p>3. In view of above, O.A. be kept tomorrow for Final Hearing.</p> <p>4. However, learned Advocate for the Applicant submits that he is already occupied and cannot attend the Tribunal. He therefore requested to keep the matter on 05.06.2023</p> <p>5. S.O. to 05.06.2023 as Part Heard.</p> <p align="right">Sd/-  (A.P. Kurhekar)  Member (J)</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p>M.A. No.300 of 2023 in O.A. No.862 of 2022</p> <p>The State of Maharashtra &amp; Ors. (Org. Resps.)....Appl. Versus M.A.G. Shaikh (Org. Appl.) .....Resps.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Respondents) and Shri K.R. Jagdale, learned Advocate for the Respondent (Org. Applicant).</li> <li>2. This M.A. is filed to recall the order dated 30.08.2022 passed by the Tribunal and to vacate interim relief.</li> <li>3. Tribunal by order dated 30.08.2022 directed to maintain status-quo as on that date.</li> <li>4. Despite order of status-quo, Respondent seems to have passed order dated 07.04.2023 which is <i>prima-facie</i> contempt of the order dated 30.08.2022.</li> <li>5. Indeed, the Applicant has already given notice for contempt of the order. It is on this background this M.A. is filed.</li> <li>6. In first place once Tribunal has granted status-quo order it should not have been interfered by passing any order by the Department. Thus apparently this M.A. is nothing but an attempt to get away from the consequences and it is not at all maintainable.</li> <li>7. At this juncture, learned P.O. sought permission to withdraw the M.A. No.300/2023. Allowed to withdraw. No order as to costs.</li> <li>8. O.A. is already fixed on 04.05.2023.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**02.05.2023**

**M.A 291/2023 in O.A 183/2020**

Shri J.B Bangar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Misc Application is filed seeking direction from this Tribunal to prepone the date of hearing of the Original Application to 6.6.2023 from 7.7.2023.

3. Learned counsel for the applicant states that in the Original Application 183/2020 the applicant has sought relief of selection to the post of P.S.I based on the Limited Departmental Competitive Examination, 2016 held by MPSC on behalf of Respondents no. 2 & 3. Learned counsel further submits that his Batchmates of the year 2016 are now due for promotion to the post of Assistant Police Inspector, whereas the applicant is still working as Police Naik and further he does not have any chance to appear for the said examination.

4. I do not find any ground to give priority to this matter as the matters of the year 2016 and cases pertaining to selection and appointment are given preference.

5. Misc Application is rejected.

6. O.A No. 183/2020 to be placed on Board 7.7.2023.

Sd

/ '  
**(Mridula Bhatkar, J.)  
Chairperson**

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No. 744 of 2018</u></p> <p>Ashok S., Karkar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that applicant who is now promoted to the post of Deputy Superintendent, Prison, Alibag challenges the communication dated 15.6.2018 and prays that the final revised seniority list dated 15.6.2018 for 2015, 2016 and 2017 for Jailor Group-I post be modified. Ld. Advocate for the applicant submits that there are identical matters like OA No.1017/2018 Vilas P. Kapade Vs. The State of Maharashtra &amp; Anr. decided on 17.4.2023 and OA No.25/2019 D.D. Kale Vs. State of Maharashtra &amp; Ors. decided by Aurangabad Bench of this Tribunal on 8.2.2023 and he prays for similar relief. Applicant stands at Sr. No.58 in the seniority list dated 15.6.2018 and Shri Kapade is at Sr. No.59.</p> <p>3. Ld. PO on instructions submits that order dated 8.2.2023 passed in OA No.25/2019 is going to be challenged by the department in the Hon'ble High Court. Ld. PO further submits that matter is not to be decided sitting singly.</p> <p>4. S.O. to 15.6.2023.</p> <p align="right">Sd (Mridula Bhatkar, J.) Chairperson 2.5.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>02.05.2023</u></b></p> <p style="text-align: center;"><b><u>O.A 420/2023</u></b></p> <p>Shri D.M Bhamray ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks permission to add G.A.D as party Respondent.</p> <p>3. Permission granted. Amendment to be carried out forthwith and copy to be served on the Respondents.</p> <p>4. G.A.D is directed to inform as to when the meeting of the D.P.C is going to be held. Shri Chandrakant Thorat, Joint Commissioner, (Legal) Food and Drugs is directed to remain present before this Tribunal.</p> <p>5. S.O to 3.5.2023.</p> <p style="text-align: right;">Sd  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.334 of 2023</u></p> <p>Suresh J. Shahane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that in this matter DE was initiated against the applicant on 28.1.1998 and the applicant retired in March, 2017. On 12.4.2023 the enquiry was dropped.</p> <p>3. In view of this there is no cause of action for redressal. Nothing remains in this OA and the same deserves to be disposed off. Hence, OA is disposed off.</p> <p align="right">Sd _____ / / (Mridula Bhatkar, J.) Chairperson 2.5.2023</p> <p>(sg)</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.As. No.333, 335 &amp; 336 of 2023</u></p> <p>Suresh J. Shahane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that in the above 3 OAs 3 DE initiated against the applicant are challenged.</p> <p>3. In OA No.333/2023 DE was initiated on 20.7.1996 and enquiry officer has submitted his report in 2019.</p> <p>4. In OA No.335/2023 DE was initiated on 28.7.2000 and enquiry officer has submitted his report in 2019.</p> <p>5. In OA No.336/2023 DE was initiated on 5.8.2003 and enquiry officer has submitted his report in 2019.</p> <p>6. Ld. Advocate for the applicant submits that in all these DEs the Govt. has not taken decision since 2019 and thus on account of long pendency of DE they are to be quashed and set aside on this ground alone.</p> <p>7. Ld. CPO submits that she has received para wise remarks and seeks time to file reply.</p> <p>8. The respondents may file reply on the next date. However, till then no further decision is to be taken by the Govt. The respondents are directed to give sound reasons for inordinate delay caused on their part in the reply and answer why on the ground of inordinate delay the DEs should not be quashed and set aside.</p> <p>9. S.O. to 13.6.2023.</p> <p style="text-align: right;">Sd (Mridula Bhatkar, J.) Chairperson 2.5.2023</p> <p>(sgj)</p>

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

Tribunal's orders

**Date : 02.05.2023**

**M.A.No.302/2023 in O.A.No.489/2023**

M.C. Changale .....Applicant

Vs.

The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. 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 27.06.2023.

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

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

6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

8. Adjourned to 27.06.2023.

Sd

(Mridula Bhatkar, J.)  
Chairperson

**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.....)

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b> <b>Date : 02.05.2023</b>
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**M.A.No.298/2023 IN O.A.No.484/2023**

U.G. Komwad & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. is allowed.

Sd

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 02.05.2023**

**O.A.No.484/2023**

U.G. Komwad & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents

2. Applicants challenge order dated 28.04.2022 passed by the Respondent No.3 and prays that the Applicants be placed at serial No.9, 7, 12 and 11 respectively.

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 27.06.2023.

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 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.

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 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.

9. Adjourned to 27.06.2023.

Sd

(Mridula Bhatkar, J.)  
Chairperson

**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.....)

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
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**Date : 02.05.2023**

**M.A.No.305/2023 IN O.A.No.494/2023**

S.K. Nachare & Ors.. .....Applicants

Vs.

The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. is allowed.

Sd

\_\_\_\_\_  
(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**02.05.2023**

**C.A 65/2022 in O.A 263/2019**

Shri D.B Vithoba Kodag ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.A Kashid, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned P.O submits that Respondents have challenged the order of this Tribunal dated 30.9.2021, before the Hon'ble High Court in W.P Stamp No. 11828/2023.

3. S.O to 21.6.2023.

Sd

(Mridula Bhatkar, J.)  
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>02.05.2023</u></b></p> <p align="center"><b><u>C.A 33/2023 in O.A 266/2022</u></b></p> <p>Shri D.B Rajbanshi ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicant. Heard Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that by order dated 25.3.2022 the Tribunal has directed the Respondents to decide the representation of the applicant within one month and the same is complied with.</p> <p>3. I had gone through the order passed by the Under Secretary, Mr Mahesh Bagde. The concerned officer is directed to give reasons along with note of explanation as to why the order is not complied with as directed.</p> <p>4. S.O to 3.5.2023.</p> <p align="right">/ s Sd (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

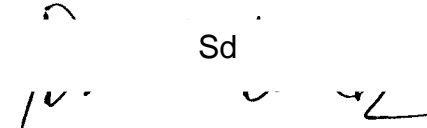
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>02.05.2023</u></b></p> <p><b><u>C.A 27/2022 in O.A 645/2017 with O.A 509/2020</u></b></p> <p>M.A Damale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the Respondents have challenged the order of this Tribunal before the Hon'ble High Court by filing W.P 1549/2023.</p> <p>3. In view of the above, matter stands adjourned to 4.7.2023.</p> <p style="text-align: right;">Sd  <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>Akn</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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**02.05.2023**

**C.A 14/2023 in O.A 434/2022**

Shri R.T Kale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.B Kadam, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O submits that the departmental enquiry is completed and the final order will be passed today.

3. S.O to 4.5.2023.

Sd

(Mridula Bhatkar, J.)  
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**02.05.2023**

**M.A 7/2023 in O.A 96/2021**

Dr M.M Mahind & Ors ... Applicants  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kranti L.C, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O seeks time to file reply to the Misc Application.

3. S.O to 4.7.2023. Interim relief to continue, if any.

Sd

(Mridula Bhatkar, J.)  
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.481 of 2023</u></p> <p>Ramesh B. Mote &amp; 7 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.B. Talekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants who are working as Craft Instructors pray for regularization of their services and grant them benefit of permanency including pecuniary benefits. Further the applicants challenge GR dated 7.4.2022 issued by respondent no.1 revising staffing pattern in the Skill Development and Entrepreneurship Department. Ld. Advocate submits that there are two types of posts. There are 15,489 sanctioned posts as shown Appendix-A(1) and 5857 are to be taken from outsourcing as shown in Appendix-A(2). Ld. Advocate for the applicant tenders a copy of Appendix-A(2) which is taken on record and marked as Page 139-A. These 5857 are in addition to 15489 posts. As per Appendix-A(2) at Sr. No.2 a total 1257 posts are shown for Craft Instructors and they will be filled from outsourcing.</p> <p>3. Ld. Advocate submits that appointment by outsourcing in such a manner at mass level is illegal and the Division Bench of the Hon'ble High Court in W.P. No.5060/2015 (ATMA Employee's Welfare Association Vs. Union of India) by order dated 24.8.2016 has set aside similar decision dated 9.4.2015. Ld. Advocate submits that there are 8 applicants working as Craft Instructors at various ITI in Solapur since last 9 years on clock hour basis on regular sanctioned post of regular employees by putting in regular working hours like regular employees. Ld. Advocate submits that clock hour basis is an eye wash.</p> <p>4. Ld. Advocate for the applicant prays that by way of interim relief no appointment on the post of Craft Instructor be made by outsourcing. Ld. Advocate submits that services</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>of the applicants have come to an end on 31.3.2023 however the applicants are still working as Craft Instructors in the concerned department and they are not given fresh orders.</p> <p>5. The respondents are directed to inform whether tender for outsourcing is issued and whether it is accepted. Secondly whether submissions made by Ld. Advocate for the applicants that they are working without appointment from 1.4.2023, is true or otherwise.</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 3.5.2023. The respondents are directed to file reply.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. 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>11. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: right;">Sd / (Mridula Bhatkar, J.) Chairperson 2.5.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 02.05.2023</b></p> <p align="center"><b>O. A. Nos. 705 &amp; 706 of 2019</b></p> <p><b>V. D. Kamane &amp; Ors.</b> <b>P. S. Parab &amp; Ors.</b> <span style="float: right;">....Applicants</span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. During the course of hearing, learned P.O. made a submission that in view of objection raised by the Pay Verification Unit, the department gave clarification by letter dated 22.03.2021 stating that the post of Laboratory Attendant is not isolated post. However, while granting benefit of Time Bound Promotion to Applicant No.6 - Madhukar Kunde by order dated 17.3.2006, the post was shown isolated. Learned P.O., therefore, submits that department now intends to issue corrigendum to order dated 17.03.2006 and wants to place that order of corrigendum on record. She sought two weeks time to take necessary steps.</p> <p>3. In view of above, further hearing of O.A. is adjourned.</p> <p>4. S.O. to 12.06.2023.</p> <p align="right">Sd/- <b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O.A.No.1229 of 2022</p> <p>M. M. Thakur <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant requests to take hearing of this matter along with connected O.A.Nos.527/2022 and 529/2022 which are not on today's board.</p> <p>3. In view of ensuing vacation, this O.A. be kept along with O.A.Nos.527/2022 and 529/2022 for final hearing after vacation.</p> <p>4. S.O. to 20.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O. A. No. 1023 of 2022</p> <p>V. R. Gosavi <span style="float: right;">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. Learned P.O. submits that the file is under process for reinstating the Applicant and necessary orders will be issued within a day or two.</p> <p>4. O.A. be kept on 04.06.2023 to produce necessary orders of reinstatement.</p> <p>5. S.O. to 04.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O.A.No.500 of 2023</p> <p>V. D. Suryawanshi <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the transfer order dated 27.04.2023 mainly on the ground that his options are not considered and matter was not placed before the Civil Services Board.</p> <p>3. Learned P.O. sought one day time to take instructions.</p> <p>4. S.O. to 03.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p style="text-align: center;">O.A.No.474 of 2023</p> <p>U. A. Karande <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged the order dated 22.07.2022 whereby the period from 04.06.2010 to 31.05.2012 has been treated as unauthorized absence for all purposes including pension benefits.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 15.06.2023.</li> <li>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 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.</li> <li>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.</li> <li>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.</li> <li>8. 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/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</li> <li>9. S.O. to 15.06.2023.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center"><b>O.A.No.1157 of 2022</b></p> <p>D. V. Suradkar <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This O.A. was proceeded without reply since the Respondents failed to file reply within time.</li> <li>3. Today, learned P.O. however sought permission to file reply on behalf of Respondents. In the interest of justice, allowed to file the same. It is taken on record.</li> <li>4. On request of learned Counsel for the Applicant, two weeks time is granted to file Rejoinder.</li> <li>5. This O.A. and O.A.No.1156/2022 be kept together.</li> <li>6. S.O. to 21.06.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O.A.No.1156 of 2022</p> <p>D. V. Suradkar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel 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 No.1. It is taken on record. Initially, the reply was filed on behalf of Respondent No.2.</p> <p>3. Since the pleading is complete, O.A. be kept for final hearing.</p> <p>4. S.O. to 21.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 02.05.2023</b></p> <p align="center"><b>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.713 of 2022</b></p> <p><b>Dr. K.B. Batte &amp; Ors. ....Applicants</b></p> <p align="center"><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>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 and Smt. K.S. Gaikwad and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>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 &amp; 713/22 is on leave note, Shri U.V. Bhosle, learned Advocate for the Applicant in 398/2021.</p> <p>3. This group of O.As was adjourned on request of learned P.O. that matter is being placed before the cabinet for taking decision about grant of leave encashment and increment to ad-hoc medical officers.</p> <p>4. Learned P.O. again requested for time since no decision is taken by the cabinet. She has further pointed out that W.P. filed before the Hon'ble High Court is now fixed on 12.06.2023 in which same issue is involved.</p> <p>5. In view of above, hearing of these O.As is adjourned after vacation.</p> <p>6. S.O. to 19.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20 \_\_\_\_\_

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O.A.No.685 of 2022</p> <p>P. B. Rathod <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. This O.A. was wrongly tagged to O.A.No.424/2020 and was adjourned from time to time. Today, it is noticed that the issue involved in this O.A. is totally different. It is therefore detagged from O.A.No.424/2020. It needs to be heard independently.</p> <p>3. In view of absence of Applicant and his Counsel, the matter is adjourned for final hearing to give one opportunity to the Applicant.</p> <p>4. S.O. to 23.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O.A.No.1275 of 2022</p> <p>C. K. More <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., the matter is adjourned for tomorrow to file short Affidavit.</p> <p>3. S.O. to 03.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center"><b>O.A.No.974 of 2022</b></p> <p>N. G. Kabadi <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard the Applicant in person and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. Today, the matter is for filing Sur-Rejoinder but the same is not filed. Learned P.O. requested for time to file Sur-Rejoinder.</li> <li>3. O.A. be kept for final hearing with liberty to file Sur-Rejoinder. In the meantime, copy be served to other side.</li> <li>4. S.O. to 16.06.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p>M.A. No.186 of 2023 in M.A. No.187 of 2023 in O.A. No.800 of 2022</p> <p>The State of Maharashtra &amp; Ors. (Org. Resps.)....Appl. Versus R.A. Bhalerao (Org. Appl.) .....Resps.</p> <p>1. Heard Smt. Archana B.K., learned Presenting Officer for the Applicants (Org. Respondents) and Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. These M.As are filed for condonation of delay and extension of time to implement the order passed by the Tribunal on 23.11.2022 in O.A. No.800/2022.</p> <p>3. Tribunal by order dated 23.11.2022 quashed and set aside impugned communication dated 31.05.2022 and directions were issued to take necessary steps to provide compassionate appointment to the Applicant within two months. Period of two months expired on 23.01.2023. However this M.As are filed on 20.03.2023 for condonation of delay and extension of time to implement the order stating that the matter is under process and it would again take some time.</p> <p>4. Indeed, Tribunal has granted two months time to take necessary steps and extension if any ought to have been sought before expiration of two months period. However, no such application was made within period of two months. Thus, apparently the Respondents have not taken steps expeditiously and file is moved from one authority to another authority. No sufficient explanation for delay is forthcoming. I am therefore not inclined to condone delay and to extend the time.</p> <p>5. Both these M.As are therefore dismissed with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O.A.No.1231 of 2022</p> <p>A. R. Sonawane <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit in Sur-Rejoinder. It is taken on record.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p>M.A. No.256 of 2023 in O.A. No.929 of 2021</p> <p>Dr. M.S. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to challenge internal communication between Department dated 12.06.2018 and also prayed for condonation of break in service so as to claim retrial benefits after giving notices of voluntary retirement. The Applicant has given notice of voluntary retirement on 20.03.2017 requesting voluntary retirement stating that he had completed 22 years service. However, nothing was communicated to him, later he found that there was some break in service which was not <sup>Continued</sup> continued by the Government. It is on the above background the M.A is filed to challenge communication dated 12.06.2018 with corresponding additional pleading.</p> <p>3. Respondents have not filed Reply to M.A.</p> <p>4. Proposed amendment is necessary for appropriate adjudication of O.A.</p> <p>5. I am therefore inclined to allow the M.A. of amendment.</p> <p>6. Amendment be carried out within a week.</p> <p>7. Respondents shall file Reply to the amendment made in O.A. be next date.</p> <p>8. S.O. to 05.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.784 of 2021</p> <p>D.T. Chavan &amp; Ors., .....Applicant Versus The State of Maharashtra &amp; 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. On request of learned P.O. adjourned for Final Hearing. O.A. be kept after vacation.</p> <p>3. S.O. to 21.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.1252 of 2022</p> <p>Mohd. T.A. Gani .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</li> <li>3. Adjourned to give one opportunity to Applicant and his Advocate.</li> <li>4. S.O. to 21.06.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 02.05.2023</p> <p align="center">O.A. No.1278 of 2022</p> <p>P.S. Salvi .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Samrudhi Salvi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In view of ensuing vacation, O.A. be kept for Final Hearing after vacation.</p> <p>3. S.O. to 23.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.1319 of 2022</p> <p>V.P. Kolekar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. wants to file Affidavit-in-Reply on behalf of Respondent No.4 and sought one day time though matter is for hearing.</p> <p>3. In the interest of justice, one day time is granted to file Affidavit-in-Reply on behalf of Respondent No.4.</p> <p>4. S.O. to 03.05.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.479 of 2023</u></p> <p>Akash D. Jadhav &amp; 13 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.V. Waghmare, 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 submit that MPSC issued advertisement dated 18.3.2020 for filling various posts in Maharashtra Engineering Services. Applicants applied for the post of Group A &amp; B in Public Works Department and Water Resources Department. The results were declared on 12.8.2022 and recommendation letters were issued on 30.8.2022. This Tribunal has passed judgment and order dated 2.2.2023 in OAs No.814, 280 &amp; 281 of 2022 by which GR dated 23.12.2022 was quashed and set aside. Though applicants are not beneficiary of the said GR and no way concerned in the examination conducted where the issue is involved in OAs No.814, 280 &amp; 281 of 2022, still the Government is not issuing appointment orders of the present 14 applicants. Ld. Advocate submits that present applicants are not parties in those OAs and therefore cannot challenge that order before the Hon'ble High Court and therefore they have approached this Tribunal. Ld. Advocate submits that the Hon'ble High Court has granted status quo on 8.3.2023 to the said order of the Tribunal.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 20.6.2023. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson 2.5.2023</p> <p>(sgj)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.279 of 2023 in O.A. No.459 of 2023</u></p> <p>Mahendra U. Harpalkar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that MA is filed for condoning delay of one month in filing OA. Impugned order was passed on 13.12.2021, the applicant received the same on 28.3.2023 and OA is filed on 21.4.2023.</p> <p>3. Ld. Advocate submits that applicant is working as Chairman, District Caste Scrutiny Committee, Aurangabad. He was initially appointed as Section Officer in 1995 and promoted from time to time and now he is in the cadre of Joint Secretary. He aspires to be inducted in the IAS cadre of Maharashtra by way of promotion. However by communication dated 13.12.2021 it is informed to him that when officer is appointed on deputation then the deputation cannot be considered as appointment in that particular cadre, though earlier he was sent on deputation to the post of Deputy Collector. On query, Ld. Advocate submits that he was appointed on deputation to the post of Dy. Collector, EGS on 17.6.2008. His deputation came to an end on 1.7.2014.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission in MA returnable on 5.6.2023. The respondents are directed to file reply.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>of MA &amp; O.A Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson 2.5.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**02.05.2023**

**C.A 22/2022 in O.A /2021**

S.R Bagde & Ors ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M Kolge, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.

2. Learned P.O submit that pursuant to the order dated 11.4.2023 the Government has sanctioned interest on G.I.S amount in respect of the applicant no. 1, Mr S.R Bagde, on 28.4.2023. Learned P.O further submits that within a week the said amount will be deposited in the Bank account of the applicant.

3. In respect of payment of interest on the GIS amount for applicant nos 2 & 3, learned counsel for the applicants seeks clarification from the concerned bench.

4. S.O to 6.6.2023.

Sd/-

J

**(Mridula Bhatkar, J.)  
Chairperson**

Akn

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.303 of 2023</u></p> <p>Dr. B.P. More ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant and Advocate both are not present.</p> <p>3. Ld. CPO informs that by order dated 17.3.2023 this Tribunal has granted interim relief to the extent that applicant be allowed to appear for the interview. However, the results of interview of all the candidates were not to be declared till the respondents file affidavit in reply.</p> <p>4. Ld. CPO submits that affidavit in reply dated 10.4.2023 was filed by Ravindra Prakash Otari, Under Secretary, MPSC, Mumbai on behalf of respondent no.1.</p> <p>5. Ld. CPO submits that on 20.4.2023 the applicant was personally present in the Court and he submitted that he has no objection to the result being declared and accordingly order was passed and the matter was adjourned to 25.4.2023. On 25.4.2023 the matter was admitted and interim relief was continued till next date.</p> <p>6. Ld. CPO further submits that by bonafide mistake result of all the candidates was declared on 24.4.2023, except the applicant. It was declared by mistake as the reply was filed. Ld. CPO now points out that this fact was not brought on record and submits that result of the applicant alone is not declared. Ld. CPO seeks permission to declare result of the applicant. Permission granted.</p> <p>7. S.O. to 3.5.2023.</p> <p style="text-align: right;">Sd/-    / (Mridula Bhatkar, J.)  Chairperson  2.5.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.293 of 2023 in O.A. No.479 of 2023</u></p> <p>Akash D. Jadhav &amp; 13 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.V. Waghmare, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson 2.5.2023</p> <p>(sgj)</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 02.05.2023</b></p> <p align="center"><b>O.A. No.496 of 2023</b></p> <p><b>B.D. Chitte</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....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. The Applicant has challenged order dated 24.03.2023 whereby period from 04.06.2016 to 17.09.2018 is treated suspension as such as per Rules 72(5) of the M.C.S. (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 15.06.2023.</p> <p>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 O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>

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

**Tribunal's orders**

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 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.

9. S.O. to 15.06.2023.

Sd/-

(A.P. Kurhekar)  
Member (J)

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p style="text-align: center;">O.A.No.410 of 2023</p> <p>S.B. Kumavat &amp; Ors. ....Applicants Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri Talekar , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicants are seeking regularization in service. Learned Counsel for the Applicants has pointed out that Joint Director (Health Services), Pune seeks way back in 2012 forwarded proposal to the Government for regularization as a special case but till date the decision is not taken. He has further pointed out that initially the Union has filed W.P. No.9881/2010 before the Hon'ble High Court which was also disposed of on 14.08.2012 with directions to the Respondents to take appropriate decision on the representation made by the Union on 28.08.2008. Despite the directions, no decision is taken.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 15.06.2023.</li> <li>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 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.</li> <li>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.</li> <li>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.</li> <li>8. 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/ <u>Miscellaneous</u> Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / <u>Miscellaneous</u> Application shall stand dismissed.</li> <li>9. S.O. to 15.06.2023. Sd/-  (A.P. Kurhekar) Member(J)</li> </ol>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">M.A. No.258 of 2023 in O.A.No.410 of 2023</p> <p>S. B. Kumavat &amp; Ors. <span style="float:right">...Applicants</span></p> <p align="center">Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri Talekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This is an application for leave to sue jointly.</li> <li>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.</li> <li>4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.</li> <li>5. M. A. No.258 /2023 is allowed.</li> <li>6. No order as to costs.</li> </ol> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.332 of 2023</p> <p>R.B. Kawale .....Applicant Versus The State of Maharashtra &amp; 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. last chance is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 08.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.313 of 2023 with O.A. No.314 of 2023</p> <p>G.R. Borkar A.A. Waghmare .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. last chance is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 08.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.267 of 2023</p> <p>S.G. Aher .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Ganesh Masurkar, learned Advocate holding Shri S.S. Deokar, 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. last chance is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 06.06.2023.</p> <p align="right">             Sd/-            (A.P. Kurhekar)            Member (J)         </p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p>O.A. No.258 of 2023</p> <p>D.P. Varpe .....Applicant Versus The State of Maharashtra &amp; 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. last chance is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 06.06.2023.</p> <p style="text-align: right;">^ Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.250 of 2023</p> <p>S.K. Belbhandare .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>3. On request of learned P.O. last chance is granted to file Affidavit-in-Reply.</li> <li>4. S.O. to 06.06.2023.</li> </ol> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.245 of 2023</p> <p>S.D. Mohite &amp; Anrs., .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Ganesh Masurkar, learned Advocate holding Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. last chance is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 06.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p align="center">O.A. No.235 of 2023</p> <p>N.B. Bagul .....Applicant Versus The State of Maharashtra &amp; 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. Learned Advocate for the Respondent No.2 is absent.</p> <p>2. Learned Advocate for the Applicant submits that Affidavit-in-Rejoinder to the Reply filed by Respondent No.2 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. In sofaras Respondent No.1 – Government is concerned, no Reply is filed though on previous date last chance was granted. I am therefore not inclined to grant further time.</p> <p>4. O.A. be kept for Final Hearing at the stage of admission.</p> <p>5. S.O. to 08.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 02.05.2023</p> <p style="text-align: center;"><b>O.A. No.475 of 2023</b></p> <p><b>U.A. Karande</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant stands retired on 31.12.2018 but he was paid retiral benefits quite belatedly. He therefore claims interest on delayed payment and also claimed 3<sup>rd</sup> benefit in terms of G.R. dated 02.03.2019.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 15.06.2023.</li> <li>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 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.</li> <li>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.</li> <li>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.</li> <li>8. In case notice is not collected within <b>seven</b> days or service report on affidavit is not filed <b>three</b> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<b>for Dismissal</b>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 15.06.2023.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b> Member (J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 02.05.2023</p> <p align="center">O.A. No.139 of 2023</p> <p>R.S. Mane .....Applicant Versus The State of Maharashtra &amp; 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. Already enough chances are granted to file Affidavit-in-Reply but the same is not filed. Hence, I am not inclined to grant further time.</p> <p>3. O.A. be kept for Final Hearing with liberty to file Affidavit-in-Reply in the mean time at least before two weeks of next date with copy to other side.</p> <p>4. S.O. 19.06.2023.</p> <p align="right">^ Sd/- W (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 02.05.2023</b></p> <p style="text-align: center;"><b>O.A. No.482 of 2023</b></p> <p><b>R.M. Shirsath</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....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. The Applicant stands retired on 31.03.2017 but till date his retiral benefits are not paid, and therefore filed this O.A. for direction to the Respondents to release his retiral dues.</p> <p>3. It appears that his claim of belonging to Schedule Tribe was pending before the Caste Scrutiny Committee and it was not decided till his retirement. He further raised grievance of nonpayment of provisional Pension onwards 01.01.2018.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 12.06.2023.</p> <p>6. 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>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>10. In mean time, Respondents shall take necessary steps to continue provisional pension.</p> <p>11. S.O. to 12.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b>Date: 02.05.2023</b></p> <p style="text-align: center;"><b>O.A. No.488 of 2023</b></p> <p><b>S.K. Sane</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K. Upasan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant stands retired on 30.04.2017 and has received retirement benefits in terms of 6<sup>th</sup> Pay Commission. However, he is not paid difference in terms of implementation of 7<sup>th</sup> Pay commission which came into force w.e.f. 01.01.2016. He also claimed interest on belated payment of difference in terms of 7<sup>th</sup> Pay Commission.</li> <li>3. Learned P.O. on instruction submits that the matter is under process for grant of difference in terms of 7<sup>th</sup> Pay Commission and it will be paid within 2 / 3 weeks.</li> <li>4. In view of above, Respondents are directed to ensure that the difference in terms of 7<sup>th</sup> Pay Commission is paid within three weeks from today.</li> <li>5. In sofaras claim of interest is concerned, Respondents to file Affidavit-in-Reply by next date.</li> <li>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>7. Issue notice before admission returnable on 12.06.2023.</li> </ol>

[P.T.O.]



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

**Tribunal's orders**

8. 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.

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

10. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

11. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / 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.

12. S.O. to 12.06.2023.

Sd/-

✓  
(A.P. Kurhekar)  
Member (J)

NMN

**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 style="text-align: center;"><b>Date: 02.05.2023</b></p> <p style="text-align: center;"><b>O.A. No.491 of 2023</b></p> <p><b>V.K. Awhad</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....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. The Applicant prayed for direction to the Respondents to regularize his services in the post of Assistant Engineer, Grade – II from the date of initial appointment, in terms of Assistant Engineer, Grade – II in the Maharashtra Services of Engineers, Group-B (Recruitment) Rules, 2009.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 15.06.2023.</p> <p>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 O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>9. S.O. to 15.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>