

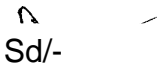
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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 : 03.01.2022</p> <p align="center">O.A.No.1001 of 2021</p> <p>U. S. Gutte <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 Smt. Purva Pradhan, 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., one week time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 10.01.2022.</p> <p align="right">             Sd/-            (A.P. Kurhekar)            Member(J)         </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.01.2022</p> <p align="center"><b>O.A.No.402 of 2021 with M.A.452 of 2021</b></p> <p><b>R. H. Chavan</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondents and Shri M. B. Kadam, learned Counsel for Intervener.</p> <p>2. This O.A. is filed being aggrieved by order dated 08.03.2021 whereby on promotion the Applicant was given posting as Superintendent Engineer, Maharashtra Jeevan Pradhikaran Mandal, Nagpur for one year on deputation.</p> <p>3. The Applicant belongs to Water Resources Department. He, therefore, contends that on promotion, he is entitled for posting in Water Resources Department.</p> <p>4. Today, when the matter is taken up for hearing, learned P.O. on instructions from Shri Kulkarni, Desk Officer, Water Resources Dept. submits that deputation period of one year is expiring on 07.03.2021 and department would take him back in Water Resources Department after completion of one year deputation period.</p> <p>5. In view of above, learned Counsel for the Applicant submits that O.A. be disposed of.</p> <p>6. As such, the grievance of Applicant is being redressed after completion of one year period of deputation.</p> <p>7. In view of above, O.A. is disposed of with no order as to costs.</p> <p>8. In view of statement made by learned P.O., Respondent is directed to give the Applicant suitable posting in Water Resources Department after completion of one year period of deputation in accordance to rules.</p> <p>9. M.A. No.452/2021 filed for intervention has now become infructuous and accordingly disposed with no order as to costs.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b> [P.T.O.  <b>Member(J)</b></p>

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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 : 03.01.2022</p> <p align="center">O.A.No.619 of 2021</p> <p>A. S. Choudhari <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, the matter is for hearing at the stage of admission without reply since the Respondents failed to file reply in the time granted by the Tribunal.</p> <p>3. However, learned P.O. seeks permission to file reply. In the interest of justice allowed to file reply. It is taken on record.</p> <p>4. The matter is adjourned for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>5. S.O. to 17.01.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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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 : 03.01.2022</p> <p align="center"><b>O.A.No.382 of 2021</b></p> <p><b>M. N. Salunke Patil</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></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. Learned P.O. requested for grant of time to place on record the Affidavit along with decision of review committee whereby decision is taken to continue the Applicant under suspension.</p> <p>3. One week time is granted.</p> <p>4. S.O. to 10.01.2022.</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 : 03.01.2022</p> <p align="center"><b>O.A.No.920 of 2021</b></p> <p><b>A. B. Chavan</b> <span style="float: right;"><b>...Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. On request of learned P.O. three weeks time is granted for filing reply.</li> <li>3. Here it needs to be noted that the Applicant had filed one another O.A.No.919/2021 simpliciter for direction to Appellate Authority to decide his appeal which was filed against the order dated 02.01.2018 whereby punishment of censure was imposed. O.A. No.919/2021 was disposed of by this Tribunal on 25.11.2021 with direction to decide appeal within three months. The said period is yet to over. This aspect has some bearing in the present O.A. in which relief is claimed for regularization of suspension period.</li> <li>4. Thus, it appears that because of pendency of appeal, no decision is taken on the regularization of suspension period. Hopefully by next date appeal will be decided.</li> <li>5. S.O. to 24.01.2022.</li> </ol> <p align="right">Sd/-</p> <p align="right"><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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## 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><u>03.01.2022</u></b></p> <p style="text-align: center;"><b><u>O.A 01/2022</u></b></p> <p>Dr Mrs R.D Katke ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, Professor in Obstetrics and Gynecology, in J.J Hospital, Mumbai, challenges the transfer order dated 31.12.2021 transferring her from Mumbai to Rajshree Chatrapati Shahu Maharaj Government Medical College, Kolhapur.</p> <p>3. Learned counsel for the applicant submits that applicant was earlier transferred to Ambejogai in the year 2019. She went there and worked for 5 months. However, she made representation on account of her family responsibilities to transfer her back to Mumbai. The Government responded positively and she was transferred back to from Ambejogai to Mumbai in September, 2020. However, after one year and 3 months, she has been transferred mid-term and mid-tenure in violation of Section 4(4) and 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred as 'ROT Act 2005' for brevity).</p> <p>4. Learned counsel for the applicant submits that she has earlier complained against one Dr Ashok Anand of humiliation and harassment in which Dr Ashok Anand was held guilty by Enquiry Committee and he was also sent on deputation to Ambejogai before the applicant was transferred to Ambejogai. Learned counsel for the applicant further submits after five months the applicant was brought back and she started working at J.J Hospital, Mumbai. Learned counsel further submits that it is the case of the applicant that two junior Doctors of Dr Ashok Anand, one Dr Kuravde and Dr Palve started harassing her and making complaints against her at the instance of Dr Ashok Anand and that is the root cause of this matter.</p> <p>5. Learned counsel for the applicants submits that applicant has two daughters studying in 7<sup>th</sup> &amp; 8<sup>th</sup> standard and her husband has undergone angioplasty on 1.12.2021. She submits that all allegations made against her are false. In view of the above circumstances, it is very difficult for her to go to Kolhapur and work there. Learned counsel for the applicant therefore prays for grant of interim relief.<sup>[P.T.O.]</sup></p>

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	<p>6. Learned C.P.O submits that though today she is having the proposal which was submitted to the authority competent to transfer, i.e. Hon'ble Chief Minister and the signature of the Hon'ble Chief Minister is also found on the said proposal, she could not lay hands over the report or the recommendations of the Civil Services Board, which is also required to be placed before the Tribunal. She needs time for the same.</p> <p>7. In view of the above, matter is placed tomorrow at 2.30 pm and learned C.P.O is directed to produce the record.</p> <p>8. S.O to 4.1.2022.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders								
	<p style="text-align: center;"><u>O.A. No.325 of 2018</u></p> <p>Anil M. Jadhao ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 and 2 and Shri C.T. Chandratre, learned Advocate for Respondent No.3.</p> <p>2. Shri K.R. Jagdale, Ld. Advocate states that Respondent No.3 Shri Digambar Ambadas Dalvi has not contacted him after the matter is remanded and therefore his appearance may not be shown and he may be discharged. Appearance of Shri Jagdale is not to be shown.</p> <p>3. Ld. CPO submits that in this matter she has been instructed by MPSC to appear as a Special Counsel and she will file short affidavit in respect of list of eligible candidates.</p> <p>4. Ld. Advocate for the applicant submits that he does not want to file independent reply or any application afresh. However, he would like to give response to affidavit in reply or any application filed by the respondents in this matter.</p> <p>5. Shri C.T. Chandratre, Ld. Advocate for respondent no.3 states that he is recently appointed in this matter which is remanded and the paper book is of 700 pages. He needs time to go through the same and wants to decide whether to file reply.</p> <p>6. Ld. CPO is given one weeks time to file reply of MPSC and serve the same on all concerned.</p> <p>7. If respondent no.3 wants to file reply the same should be filed after three weeks. Thereafter applicant will get one weeks time to respond.</p> <p>8. All the exercise to be completed and matter is fixed after four weeks for final hearing.</p> <p>9. At the request adjourned to 31.1.2022.</p> <p style="text-align: center;"> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 50%;">Sd/-</td> <td style="text-align: center; width: 50%;">Sd/-</td> </tr> <tr> <td style="text-align: center;">(Medha Gadgil)</td> <td style="text-align: center;">(Mridula Bhatkar, J.)</td> </tr> <tr> <td style="text-align: center;">Member (A)</td> <td style="text-align: center;">Chairperson</td> </tr> <tr> <td style="text-align: center;">3.1.2022</td> <td style="text-align: center;">3.1.2022</td> </tr> </table> </p> <p>(sgj)</p>	Sd/-	Sd/-	(Medha Gadgil)	(Mridula Bhatkar, J.)	Member (A)	Chairperson	3.1.2022	3.1.2022
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Member (A)	Chairperson								
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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>O.A. No.633 of 2021</u></p> <p>P.R. Jadhav &amp; 6 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Smt. K.S. Gaikiwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants has produced copy of order dated 30.12.2021 issued by respondent no.2 wherein all the applicants have been given promotion. Copy of order is taken on record and marked Exhibit '1' for identification.</p> <p>3. Applicant No.1 Shri Prabhakar R. Jadhav is personally present in the Court.</p> <p>4. In view of the same, above OA is disposed off with liberty to seek relief on the point of deemed date of promotion.</p> <p align="center"> Sd/- (Medha Gadgil) Member (A) 3.1.2022 (sgj) </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson 3.1.2022 </p>


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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>O.A. No.13 of 2020</u></p> <p>Ramkisan S. Pawar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and Advocate both are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 and 2 and Shri C.T. Chandratre, learned Advocate for Respondent No.3.</p> <p>2. Registry is directed to show the name of Shri Sandeep S. Dere as Ld. Advocate for the applicant.</p> <p>3. Ld. CPO submits that she does not want to file reply.</p> <p>4. Shri C.T. Chandratre, Ld. Advocate submits that he has been instructed to appear for respondent no.3 and he does not want to file reply.</p> <p>5. At the request adjourned to 31.1.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 3.1.2022 (sgj)</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson 3.1.2022</p>

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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: 03.01.2022</p> <p align="center">O.A. No.1008 of 2021</p> <p>S.P. Khude .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that he wants to amend O.A. and for that <del>period</del> <sup>interest</sup> <del>intent</del> to file M.A. He is allowed to file M.A.</p> <p>3. O.A. be listed along with M.A. on 13.01.2022.</p> <p align="right">Sd/- _____ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.01.2022</p> <p align="center">O.A. No.906 of 2021 with O.A. No.907 of 2021</p> <p>P.K. Mokashi &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</li> <li>3. S.O. to 17.01.2022.</li> </ol> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.01.2022</p> <p align="center">O.A. No.961 of 2021</p> <p>G.M. Kankdande .....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. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 17.01.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p><b>Date: 03.01.2022</b></p> <p align="center"><b>O.A. No.16 of 2020</b></p> <p>S.A. Talekar .....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. Chougale, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Additional Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing contrary Affidavit.</p> <p>3. S.O. to 17.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 03.01.2022</p> <p align="center"><b>O.A. No.962 of 2014</b></p> <p><b>D.B. Chitale</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 Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has pointed out that Respondent No.1 has not filed Affidavit-in-Reply and it is only Respondent No.2 – C.E.O., Maharashtra Maritime Board, Mumbai as filed Affidavit-in-Reply. He has further pointed out that it is only by way of Rejoinder, Respondent No.1 has filed Affidavit to the Reply.</p> <p>3. Learned Advocate for the Applicant sought two days time for Final Hearing on the ground that he wants to cite certain Judgments. This O.A. being of 2014 which needs to be decided expeditiously. It is transferred to this Bench in last month only.</p> <p>4. Adjourned to Thursday on 06.01.2022.</p> <p>5. It is hereby made clear that if Respondent No.1 wants to file Affidavit-in-Reply, it may be filed on or before 06.01.2022.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p> <p align="right">[P.T.O.]</p>

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	<p style="text-align: center;"><u>O.A. No.733 of 2019</u></p> <p>M.R. Rathod &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.A. Valimbe, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 to 6.</p> <p>2. Ld. Advocate for the applicants points out that respondents no.3, 4 and 5 have not filed their reply. Only respondent no.2 and some private respondents have filed reply. He submits that sufficient time was given to respondents no.3, 4 &amp; 5 to file reply.</p> <p>3. Considering the submissions made by the Ld. Advocate for the applicants and time taken by respondents no.3, 4 &amp; 5 to file reply, we pass order of no reply against respondents no.3, 4 &amp; 5 and matter will be proceeded without their reply.</p> <p>4. Ld. Advocate for the applicants wants time to file rejoinder to the replies filed by other respondents.</p> <p>5. S.O. to 10.1.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2022 3.1.2022</p> <p>(sgj)</p>



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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>O.A. No.1032 of 2021</u></p> <p>A.L. Jagtap ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Kaustubh Gidh holding for Shri Kranti L.C., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 31.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center"> Sd/-  (Medha Gadgil)  Member (A)  3.1.2022  (sgj) </p> <p align="center"> Sd/-  (Mridula Bhatkar, J.)  Chairperson  3.1.2022 </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.41 of 2021 in O.A. No.1052 of 2016</u></p> <p>V.S. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.S. Jadhav holding for Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that in the above matter, writ petition has been filed in the Hon'ble High Court.</p> <p>3. S.O. to 14.2.2022.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2022 3.1.2022</p> <p>(sgj)</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.952 of 2021</u></p> <p>M.P. Repe ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.K. Hande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 31.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 3.1.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 3.1.2022</p> <p>(sgj)</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.953 of 2021</u></p> <p>N.P. Gawade ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.K. Hande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 31.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 3.1.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 3.1.2022</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"><b><u>03.01.2022</u></b></p> <p align="center"><b><u>O.A 652/2015</u></b></p> <p>Shri S.K Nikalje 1A) Smt Hemlala S. Nikalje, Legal Heir... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that amount towards Group Insurance Scheme has been disbursed on 12.10.2021. He submits that the Service Book has been submitted for verification to the Pay and Accounts Office on 1.12.2021. However, some objections were raised by the Pay and Accounts Office and after clearing the said objections, the Service Book has been resubmitted to the Pay &amp; Accounts Office on 31.12.2021. Hence, the payment towards G.P.F, Death cum Retirement Gratuity and Pension remains to be disbursed.</p> <p>3. We, therefore, direct the Respondents to do continuous follow up with the Pay &amp; Accounts office and comply with the order by 11.1.2022.</p> <p>4. S.O to 11.1.2022.</p> <p align="center">Sd/- <b>(Medha Gadgil)</b> <b>Member (A)</b> Akn</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></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>M.A. No.434(A) of 2021 in O.A. No.803 of 2021</u></p> <p>M.D. Walunj &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.M. Deshmukh, 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="center"> Sd/- (Medha Gadgil) Member (A) 3.1.2022 (sgj) </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson 3.1.2022 </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.803 of 2021</u></p> <p>M.D. Walunj &amp; Ors.                                 ..Applicants Vs. The State of Maharashtra &amp; Ors.                         ..Respondents</p> <p>Heard Shri M.M. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 17.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center"> Sd/-   Sd/-  (Medha Gadgil)     /     (Mridula Bhatkar, J.)  Member (A)   Chairperson  3.1.2022   3.1.2022  (sgj) </p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.859 of 2021</u></p> <p>N.B. Kabadi ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p style="text-align: center;">Heard Applicant in Person and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO to file reply.</p> <p>3. S.O. to 13.1.2022.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 3.1.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 3.1.2022</p> </div> </div>



# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.757 of 2020</u></p> <p>C.M. Kabade ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Applicant and his Advocate are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that she will file reply during the course of the day.</p> <p>3. S.O. to 7.2.2022.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 3.1.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 3.1.2022</p> </div> </div>

**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><u>O.A. No.369 of 2021</u></p> <p>Gajanan S. Chavan ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, 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 by order dated 18.11.2021 this Tribunal stayed the impugned reversion order dated 29.4.2021 and applicant was to be brought back to his original post of Laboratory Technician. But the said order is not yet executed by the respondents.</p> <p>3. Ld. PO submits that applicant is 100% blind. On query Ld. Advocate for the applicant submits that he is 90% blind by one eye and 100% blind by other eye.</p> <p>4. We make it clear that by order dated 18.11.2021 reversion was stayed and he was to be brought back to his original post of Laboratory Technician. However, Laboratory Technician needs good eye sight and there may be errors in the report of the patients which should not take place. However, we draw the attention of the respondents to first and second provisos to Section 20 of The Rights of Persons with Disabilities Act, 2016 which reads as follows:</p> <p style="text-align: center;"><i>“Provided that, if an employee after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits;</i></p> <p style="text-align: center;"><i>Provided further that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.”</i></p> <p style="text-align: right;">(Quoted from page 38 of OA)</p>

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

**Tribunal's orders**

5. We draw attention of the respondents again and as per first proviso the applicant is required to be accommodated on the same pay scale and this order is to be implemented within one week from today and compliance be reported.

6. S.O. to 10.1.2022. Hamdast granted.

Sd/-

(Medha Gadgil)  
Member (A)  
3.1.2022

(sgj)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
3.1.2022

**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><b>Date: 03.01.2022</b></p> <p align="center"><b>O.A. No.809 of 2021</b></p> <p><b>N.J. Koli</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. Matter is taken up for hearing at the stage of admission.</p> <p>3. The Applicant is Jail Guard. He was suspended by order dated 23.09.2021 in contemplation of D.E. invoking Rule 4(1)(a) of Maharashtra Civil Services (Discipline &amp; Appeal) Rules, 1979. He made representation for revocation of suspension on the ground of prolong suspension but it is not responded.</p> <p>4. Learned Advocate for the Applicant submits that since suspension was in contemplation of D.E. and period of more than 90 days is over, the Applicant is entitled to reinstatement in terms of decision of Hon'ble Supreme Court in <b>(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India &amp; Anr.)</b>. He has further pointed out G.R. dated 09.07.2019 issued by Government of Maharashtra in this behalf.</p> <p>5. Learned P.O. submits that review of the suspension will be taken soon.</p> <p>6. As stated above, challenge is to the suspension order dated 23.09.2021 whereby the Applicant is suspended in contemplation of D.E. Admittedly, till date no D.E. is initiated by issuance of charge-sheet though period of more than 90 days is over.</p> <p align="right">[P.T.O.]</p>

**Tribunal's orders**

7. In view of judgment of Hon'ble Supreme Court in **Ajay Kumar Choudhary's** Case, Respondent was under obligation to take review of suspension.
8. Hon'ble Supreme Court in **Ajay Kumar Choudhary's** Case held that the period of suspension should not exceed beyond three months if charge-sheet is not served upon delinquent and where the charge-sheet is served upon a reason order needs to be passed for the extension of suspension.
9. Whereas, in present case admittedly till date no charge-sheet is served upon the delinquent though more than 90 days is over. Government of Maharashtra by G.R. dated 09.07.2019 has also issued clear instructions to the all the Departments for issuance of charge-sheet within 90 days from the date of suspension.
10. In view of above, O.A. is disposed of by issuing following direction.
11. Respondent is directed to take review of suspension of the Applicant within two weeks from today and the decision as the case may be shall be communicated to the Applicant within a week thereafter.
12. If the Applicant felt aggrieved by the decision he is at liberty to avail further legal remedy.
13. No order as to costs.

Sd/-  
(A.P. Kurhekar)  
Member (J)

**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 : 03.01.2022</p> <p align="center">O.A.No.1112 of 2019</p> <p>K. B. Solanki &amp; Ors. ....Applicants</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 Counsel for the Applicant has filed additional affidavit of petitioner along with annexures. It is taken on record.</p> <p>3. Learned P.O. has also filed additional affidavit on behalf of Respondent No.1 and 3 along with annexures. It is taken on record.</p> <p>4. On request of learned Counsels, the matter is adjourned to 06.01.2022.</p> <p>5. S.O. to 06.01.2022.</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 : 03.01.2022</p> <p align="center">O.A.No.350 of 2021</p> <p>Dr. S. A. Trimbake <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. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 24.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>