

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>MA.760/2022 in OA.557/2021 & OA.676/2021</u></p> <p>The State of Maharashtra & Ors.Applicants Vs. Shankar M. Mutekar & Ors. Santosh B. Patil & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Presenting Officer for the Applicants-original Respondents and Shri S.S. Dere, learned Advocate for the Respondents-original Applicants.</p> <p>2. This MA is filed by the State for extension of time to comply the common orders dated 23.9.2022 and 28.9.2022 passed by this Tribunal in the above OAs.</p> <p>3. Ld. CPO submits that opinion of the Law and Judiciary Department was sought on the point whether to challenge the orders in the Hon'ble High Court and similarly the Legislative Assembly was in Session and the concerned officers and Secretaries were not available from 15.12.2022 to 2.1.2023. Ld. CPO therefore prays that time be extended by two months to comply the order.</p> <p>4. Ld. Advocate for the Respondents-original applicants while opposing the prayer for extension of time for compliance submits that earlier time was granted for two months and thereafter by order dated 9.12.2022 the Tribunal extended the time by one month which was over on 28.12.2022. Ld. Advocate therefore submits that no further time be granted for compliance as already composite 90 days time is consumed by the respondents for compliance of the order.</p> <p>5. Considered the submissions. The orders which are to be complied with are in fact pursuant to the GR dated 7.5.2021 which is based on the judgment dated 4.8.2017 of the Hon'ble High Court in W.P. No.2997 of 2015 State of Maharashtra Vs. Vijay Ghogre. We, therefore, extend the time by one month as requested which is to be counted from 28.12.2022 so it will come to an end on 28.1.2023. MA disposed off accordingly.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 3.1.2023</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 3.1.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.570 of 2017</u></p> <p>B.G. Kingare & 20 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 5 and Shri K.R. Jagdale, learned Advocate for Respondent No.6.</p> <p>2. It is noticed from the submissions of Ld. Advocate for the applicants that Respondent No.6 is named as follows:</p> <p style="padding-left: 40px;">“6. Director State Institute of Educational Technology, Agarkar Marg, Pune 411004 And Maharashtra State Council of Educational Research & Training (Vidya Parishad), Sadashiv Peth, Pune 30.”</p> <p>3. In fact these are two different entities which are:</p> <p style="padding-left: 40px;">“6. Director State Institute of Educational Technology, Agarkar Marg, Pune 411004”</p> <p style="padding-left: 40px;">“6A. Maharashtra State Council of Educational Research & Training (Vidya Parishad), Sadashiv Peth, Pune 30.”</p> <p>4. Therefore, they are now mentioned as 6 and 6A. Ld. Advocate for the applicants to carry out the amendment as above forthwith. We hereby direct the Ld. Advocate for the applicants to serve respondents no.6 and 6A independently as there is confusion about these two entities.</p> <p>5. Hence, we direct Shri Imtiyaz Kazi, Joint Secretary, School Education & Sports Department and also Joint Secretary, GAD to remain present on the next date.</p> <p>6. S.O. to 10.1.2023.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>3.1.2023</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>3.1.2023</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 align="center"><u>O.A. No.570 of 2017</u></p> <p>B.G. Kingare & 20 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Shri K.R. Jagdale, Ld. Advocate places on record one letter dated 20.12.2022 written by Director, Balbharti, Pune to Secretary, School Education & Sports Department i.e. Respondent no.4 regarding appointment of Shri K.R. Jagdale as Special Counsel.</p> <p>3. Ms. Sheetal Patil, Desk Officer, School Education & Sports Department, who is present in the Court, states that as per her information the approval has not yet come from the Secretary.</p> <p>4. Hence, we direct Shri Imtiyaz Kazi, Joint Secretary, School Education & Sports Department to remain present at 1.00 p.m.</p> <p>5. Kept back.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2023 3.1.2023</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><u>03.01.2023</u></p> <p align="center"><u>M.A 5/2023 in O.A 1267/2021</u></p> <p>Shri S.D Tekam & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Trunal Tonape with Nikita Anandache i/b Shri Asim Sarode, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The present Misc Application is filed seeking to amend the Original Application by adding the applicants as Party Applicants in the Original Application.</p> <p>3. Permission to amend the Original Application is granted. Amendment to be carried out forthwith and amended copy be served on the Respondents.</p> <p>4. M.A is accordingly disposed of.</p> <p>Sd/- <i>[Signature]</i> Sd/- <i>[Signature]</i> (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</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 : 03.01.2023</p> <p>O.A.No.861 of 2021</p> <p>S. Y. ManjareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Atharva Nalawade holding for Shri R. H. Patil, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought permission to file reply.</p> <p>3. In the interest of justice, allowed to file the same. It be taken on record.</p> <p>4. S.O. to 20.01.2023.</p> <p style="text-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

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>03.01.2023</u></p> <p style="text-align: center;"><u>M.A 287/2022 in O.A 263/2022</u></p> <p>Smt N.D Raut ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Karan Gajra, holding for Shri A.A Desai, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant has filed Misc Application seeking condonation of delay of 5 years 3 months and 10 days. The applicant retired on 31.10.2016 and the cause of action arose on 30.10.2017, i.e., after one year after 31.10.2016. However, the Original Application is filed on 14.3.2022.</p> <p>3. Learned counsel for the applicant submits that the applicant has made several applications claiming pecuniary benefits as the services of the applicant was regularized on 15.9.1995 w.e.f 1.10.1986.</p> <p>4. Learned P.O opposes condonation of delay in filing the Original Application.</p> <p>5. In view of the fact that the last representation of the applicant was under active consideration since 2020, the delay in filing the Original Application is condoned.</p> <p>6. M.A stands disposed of.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left; font-size: small;">Akn</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>M.A. No.745 of 2022 in O.A. No.1910 of 2022</u></p> <p>Shamrao A. Gite ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. This MA is filed under Section 25 of the Administrative Tribunals Act, 1985 and that OA is filed before the Aurangabad Bench and the applicant is staying at Nashik and therefore it is prayed that applicant be allowed to prosecute before the Aurangabad Bench.</p> <p>3. Ld. PO submits to the order of the Court.</p> <p>4. MA is allowed. OA is to be entertained and prosecuted at Aurangabad Bench of this Tribunal.</p> <p align="right">  Sd/- _____ (Mridula Bhatkar, J.) Chairperson 3.1.2023 </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>M.A. No.746 of 2022 in O.A. No.1021 of 2022</u></p> <p>Madhav K. Khaarge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. This MA is filed under Section 25 of the Administrative Tribunals Act, 1985 and that OA is filed before the Aurangabad Bench and the applicant is staying at Nashik and therefore it is prayed that applicant be allowed to prosecute before the Aurangabad Bench.</p> <p>3. Ld. PO submits to the order of the Court.</p> <p>4. MA is allowed. OA is to be entertained and prosecuted at Aurangabad Bench of this Tribunal.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 3.1.2023</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>Date: 03.01.2023</p> <p align="center">O.A. No.754 of 2022</p> <p>Dr. S.L. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents. A.S. Gaikwad, learned Advocate for the Respondent No.2 is absent.</p> <p>2. The Applicant has challenged order dated 02.06.2022 whereby charge of the Applicant is withdrawn by Respondent No.2 – District Health Officer, Zilla Parishad, Thane.</p> <p>3. Shri M.D. Lonkar, learned Advocate for the Applicant sought to assail impugned order dated 02.06.2022 about the withdrawal of charge solely on the ground that it is in contravention of G.R. dated 28.03.2012 whereby directions were given that no charge of the Medical Officer should be withdrawn without prior approval of the Government. This is the only ground raised by learned Advocate for the Applicant to assail the impugned order.</p> <p>4. Whereas, learned P.O. submits that charge of D.D.O which was given to the Applicant was only withdrawn and he is still continued and working as Medical Officer.</p> <p>5. The Applicant is serving in the cadre of Medical Officer. While he was working as Medical Officer, Public Health Department (PHC), Khed, Tal. Igatpuri, Dist. Nashik he came to be suspended by Government on 27.07.2020. Later, Government by order dated 07.01.2021 reinstated him and posted as Medical Officer, PHC, Mhasa, Taluka Murbad, District Thane and accordingly he joined there. The charge of D.D.O which was with Dr. R.R. Honrao was also given to the Applicant as seen by letter dated 15.05.2021. Thus, the Applicant was working as Medical Officer as well as D.D.O. However, later there were some complaints against him attributing unauthorized absence</p>

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

Tribunal's orders

causing in-convenience to the administration. Therefore, Respondent No.2 – District Health Officer, District Health Officer, Zilla Parishad, Thane by order dated 02.06.2022 has withdrawn the charge and later C.E.O. accorded *ex-post-facto* approval.

6. Thus, what emerges from the factual aspects that the Applicant is still working as Medical Officer, PHC, Mhasa, Taluka-Murbad, District-Thane. The charge of the D.D.O. is only withdrawn by order dated 02.06.2022. Shri M.D. Lonkar, learned Advocate for the Applicant fairly concedes this position. This being the position, it is not a case that the Applicant's work as Medical Officer is withdrawn so as to attract Clause 2 of G.R. dated 28.03.2012 which *inter-alia* says that the charge of Medical Officer should not be withdrawn without prior approval of the Government. Thus, the prohibition of withdrawal of charge pertains to working as Medical Officer only and there is no such bar in G.R. dated 28.03.2012 for withdrawal of charge of D.D.O. In present case only charge of D.D.O. is withdrawn work of Medical Officer is left undisturbed.

7. It appears that the Applicant was habitually absent which was causing in- convenience to the administration. The charge of D.D.O. has nothing to do with duties of the Medical Officer. If charge of D.D.O. is withdrawn from the point of administrative convenience and the Applicant's post as Medical Officer is not disturbed. I see no harm to the Applicant in withdrawing charge of D.D.O. Competent authority can always keep the charge of D.D.O. with somebody else if found necessary from the point of administration exigencies and convenience. The Applicant's post as Medical Officer is no way affected. In other words, the Applicant has no cause of action to raise any such grievance. Impugned order does not affect any such service conditions of the Applicant much less substantially or prejudicial to his interest.

8. In the totality of the aforesaid discussion, I have no hesitation to sum up that the challenge to the impugned order holds no water and O.A. is liable to be dismissed.

9. The Original Application is dismissed with 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 _____

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 : 03.01.2023</p> <p align="center">O.A.No.05 of 2023</p> <p>Smt. Anamika R. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the transfer order dated 29.12.2022 <i>inter-alia</i> contending that she is transferred mid-term and mid-tenure in contravention of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 and sought interim relief.</p> <p>3. When the matter is taken up for consideration of interim relief, on request of learned Counsel for the Applicant, it is adjourned till tomorrow since he wants to bring on record some Circulars to explain why fund was not utilized which seems to be the reason for transfer.</p> <p>4. S.O. to 04.01.2023.</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

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: 03.01.2023</p> <p align="center">O.A. No.1206 of 2022</p> <p>M.B. BagaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.B. Trivedi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. O.A. is filed for grant of interest on belated payment of retiral benefits. However, perusal of O.A. reveals that the Applicant had received retiral benefits in 2020 & 2021 on different dates. Whereas, O.A. is filed on 29.11.2022 which is beyond period of limitation of one year. No M.A. is filed for Condonation of delay. Learned Advocate for the Applicant is directed to satisfy that how O.A. is within limitation.</p> <p>3. S.O. to 13.01.2023.</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: 03.01.2023</p> <p align="center">M.A. No.356 of 2020 in O.A. No.795 of 2020</p> <p>M.S. ShelakeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> The Applicant and his Advocate both are absent. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. This matter was before Division Bench but it is transferred to Single Bench. Today for the first time it is listed before me. In M.A. grievance is raised for non grant of 2nd Time Bound Promotion on completion of 24 years service. M.A. is filed for Condonation of delay. Learned P.O. tendered communication dated 22.04.2021, wherein it is stated that the Department had already granted benefit of 2nd Time Bound Promotion by order dated 08.04.2011. Thus, the grievance of the Applicant seems to have been redressed. In view of above, M.A. and O.A. both are disposed of with no order as to costs. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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: 03.01.2023</p> <p align="center">O.A. No.1232 of 2022</p> <p>I.K. AttarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit on behalf of Respondent Nos.1 to 3. It is taken on record.</p> <p>3. Learned Advocate for the Applicant submits that he does not want to file Rejoinder.</p> <p>4. O.A. be kept for hearing at the stage of admission.</p> <p>5. S.O. to 12.01.2023.</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: 03.01.2023</p> <p align="center">O.A. No.931 of 2021</p> <p>B.G. SagareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for the Applicant has filed Additional Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. O.A. be kept for hearing.</p> <p>4. S.O. to 11.01.2023.</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.

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	<p>Date: 03.01.2023</p> <p align="center">O.A. No.950 of 2022</p> <p>S.G. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.P. Sabban, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that some O.A. relating to regularization of services of Medical Officers are transferred to Aurangabad Bench and this O.A. also required to be transferred with those O.As which are transferred to Aurangabad Bench.</p> <p>3. Insofar as issue of transfer is concerned, learned P.O. is at liberty to take necessary steps.</p> <p>4. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>5. S.O. to 18.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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: 03.01.2023</p> <p align="center">O.A. No.880 of 2022</p> <p>N.S. NaikApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits the Affidavit-in-Rejoinder is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 24.01.2023.</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.

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	<p>Date: 03.01.2023</p> <p align="center">O.A. No.350 of 2022</p> <p>Dr.R.H. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.R. Suryawanshi, learned Advocate holding for Shri G.M. Savagave, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file Affidavit-in-Reply but the same is not filed. However, on the request of learned P.O. one week time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 10.01.2023.</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: 03.01.2023</p> <p align="center">R.A. No.19 of 2022 in O.A. No.956 of 2021</p> <p>V.A. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that Affidavit-in-Rejoinder is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. R.A. be kept for hearing.</p> <p>4. S.O. to 18.01.2023.</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: 03.01.2023</p> <p align="center">O.A. No.354 of 2022</p> <p>S.G. GoleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.R. Maurya, learned Advocate holding for Shri S.G. Kudle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought adjournment on the ground that his senior is not available. Lastly adjourned with specific direction that no further time will be granted.</p> <p>3. S.O. to 20.01.2023.</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: 03.01.2023</p> <p align="center">O.A. No.1324 of 2022</p> <p>V.R. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order of punishment issued by Government dated 24.08.2022 whereby punishment of 25% reduction of Pension for five years have been imposed.</p> <p>3. The Applicant has not availed appeal remedy and directly filed this O.A. When this aspect is brought to the notice of learned Advocate for the Applicant he sought to contend that the Applicant being retired Government servant there is no necessity to file the appeal and O.A. is maintainable. He sought time to convince Tribunal that how O.A. is maintainable.</p> <p>4. S.O. to 11.01.2023 along with connected O.A. No.921/2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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: 03.01.2023</p> <p align="center">O.A. No.1323 of 2022</p> <p>S.A. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is retired Government servant who have^{has} challenged order dated 18.07.2022 passed by Government thereby imposing punishment of 6% reduction of Pension for one year. The Applicant has already preferred appeal before Hon'ble Governor on 02.09.2022.</p> <p>3. Learned Advocate for the Applicant sought to contend that the Applicant has sought stay to the impugned punishment in appeal but no hearing is given by appellate authority, and therefore he approached the Tribunal.</p> <p>4. Thus, since the Applicant has already availed appeal remedy, <i>prima-facie</i> O.A. is not maintainable.</p> <p>5. Whereas, learned Advocate for the Applicant sought to contend that the Applicant being retired Government servant, O.A. is maintainable ^{even} without availing appeal remedy but sought time to satisfy the Tribunal how O.A. is maintainable.</p> <p>6. S.O. to 11.01.2023 along with connected O.A. No.921/2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J) [P.T.O.]</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: 03.01.2023</p> <p align="center">O.A. No.1113 of 2022 with O.A. No.1167 of 2022</p> <p>B.T. Rathod P.J. MahaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents in 1113/2022 and Shri A.J. Chougule, learned Presenting Officer for the Respondents in 1167/2022.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 18.01.2023.</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><u>03.01.2023</u></p> <p align="center"><u>M.A 286/2022 in O.A 1210 /2021</u></p> <p>Amina K. Shaikh ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.V Sutar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The Misc Application is filed by the applicant seeking to hear the Original Application peremptorily.</p> <p>3. The Original Application is filed challenging the order dated 19.7.2019, whereby the applicant is compulsorily retired from service as she was held guilty in the departmental enquiry. Learned counsel for the applicant submits that the applicant has not got any salary and she is having no source of income available to her and therefore, the matter is to be taken on priority basis.</p> <p>4. We do understand the difficulty of the applicant. However, at present we are taking up matters of the year 2016 and 2017.</p> <p>5. In view of the above, Misc Application is disposed of.</p> <p>6. O.A No 1210/2019 be kept on hearing on 30.3.2023.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**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>03.01.2023</u></p> <p align="center"><u>O.A 1145/2022</u></p> <p align="center"><u>SUO MOTO SPEAKING TO THE MINUTES</u></p> <p>Shri Kunal R. Bhavsar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Trunal T. Tonape and Ms Nikita Anandache, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Pursuant to the order of the Hon'ble High Court dated 21.2.2022 in W.P 15757/2022, thereby remanding O.A 1145/2022, in the order of this Tribunal dated 15.12.2022 in the caption the O.A 1145/2022 and the parties in the said Original Application are wrongly mentioned. The said order is in fact passed in O.A 1150/2022 & 1175/2022, pursuant to the order dated 9.12.2022.</p> <p>3. Hence, the following order is passed:-</p> <p>(i) O.A 1145/2022 and the names of the applicants and the Respondents in the title is hereby deleted.</p> <p>(ii) In para 1 in the last line it is mentioned O.A 1145/2022 is deleted.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p align="right">[P.T.O.]</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><u>03.01.2023</u></p> <p align="center"><u>O.A 1145/2022</u></p> <p>Shri Kunal R. Bhavsar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Trunal T. Tonape and Ms Nikita Anandache, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Pursuant to the order dated 21.12.2022 in W.P 15757/2022, the Hon'ble High Court has directed the Tribunal to decide O.A 1145/2022, as per the order dated 8.12.2022 passed in W.P 14904/2022 and 9.12.2022 in W.P 15246/2022.</p> <p>3. In the said Writ Petitions, the issue regarding Question No. 48 was raised and the Tribunal was directed to decide Question no. 48.</p> <p>4. The issue regarding Question No. 48, was challenged by the applicant as per the revised answer key published on 2.11.2022.</p> <p>5. We have considered this issue in our order dated 15.12.2022 in O.A 1145/2022 with O.A 1150/2022 and O.A 1175/2022, wherein Question no. 48 is specifically dealt with.</p> <p>6. In view of the above, the Original Application stands dismissed.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**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>C.A. No.39 of 2019 in O.A. No.216 of 2016</u></p> <p>A.P. Charate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Amruta Kharade i/b. Talekar & Associates, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant states that order of this Tribunal is challenged before the Hon'ble High Court and which is pending.</p> <p>3. S.O. to 14.2.2023.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2023 3.1.2023</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.691 of 2016</u></p> <p>S.M. Morey ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri V.P. Potbhare, Ld. Advocate states that Ld. Advocate Shri A.S. Deshpande from Aurangabad has informed him that he is unable to attend this Tribunal at Mumbai till 16.1.2023 and so the matter may be fixed thereafter.</p> <p>3. Ld. CPO requests for time to enable the officers from department to remain present with all relevant record.</p> <p>4. S.O. to 17.1.2023. Shri Deshpande, Ld. Advocate to take note that no further time will be granted.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2023 3.1.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1268 of 2022</u></p> <p>Bhagwan D. Kamble & 450 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Smt. Punam Mahajan, Ld. Advocate for the applicants has filed Leave Note.</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 31.1.2023. 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 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 seven days or service report on affidavit is not filed three days before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "For Dismissal" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2023 3.1.2023</p> <p>(sgj)</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 align="center"><u>C.A. No.10 of 2020 in O.A. No.434 of 2014</u></p> <p>M.C. Gosavi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for the Applicant.</p> <p>2. Ld. PO states that the State of Maharashtra has challenged the order dated 18.2.2019 passed by this Tribunal in above OA No.434 of 2014 by filing W.P. No.3822 of 2022 in the Hon'ble High Court. The Hon'ble High Court by its order dated 2.12.2022 dismissed OA No.434 of 2014 and disposed of the writ petition.</p> <p>3. Hence, in view of the above, nothing survives in the contempt application and the same is disposed of.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2023 3.1.2023</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 align="center"><u>O.A. No.1327 of 2022</u></p> <p>S.S. Bhotmange & 65 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam holding for Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri M.B. Kadam, Ld. Advocate submits that matter be kept back as Shri S.S. Dere, Ld. Advocate is busy in the Hon'ble High Court.</p> <p>3. Ld. CPO submits that it is necessary to file affidavit in reply of respondents to adjudicate the issue. Hence, she seeks one day's time.</p> <p>4. S.O. to 4.1.2023.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.1.2023 3.1.2023 (sgl)</p>