

**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>C.A. No.35 of 2021 in O.A. No.229 of 2019</u></p> <p>A. Nazirkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Poona Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time.</p> <p>3. S.G. to 24.2.2022.</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>3.2.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>3.2.2022</p> </div> </div>

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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>M.A. No.76 of 2020 in O.A. No.465 of 2019</u></p> <p>S.K. Mukherjee ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply will be filed during the course of the day.</p> <p>3. S.O. to 7.2.2022.</p> <p align="center"> <table border="0"> <tr> <td align="center">Sd/-</td> <td align="center">Sd/-</td> </tr> <tr> <td align="center">(Medha Gadgil)</td> <td align="center">(Mridula Bhatkar, J.)</td> </tr> <tr> <td align="center">Member (A)</td> <td align="center">Chairperson</td> </tr> <tr> <td align="center">3.2.2022</td> <td align="center">3.2.2022</td> </tr> </table> </p> <p>(sgj)</p>	Sd/-	Sd/-	(Medha Gadgil)	(Mridula Bhatkar, J.)	Member (A)	Chairperson	3.2.2022	3.2.2022
Sd/-	Sd/-								
(Medha Gadgil)	(Mridula Bhatkar, J.)								
Member (A)	Chairperson								
3.2.2022	3.2.2022								

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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>M.A. No.62 of 2022 in O.A. No.695 of 2021</u></p> <p>R.S. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, 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 has filed this MA for amending the OA as per Schedule 'A' annexed to the MA. By way of amendment applicant wants to challenge the recovery notice dated 15.10.2021.</p> <p>3. Ld. PO submits to the order of the Court.</p> <p>4. MA for amendment is allowed. Amendment be carried out and amended copy be served on all concerned. MA disposed off accordingly.</p> <p>5. It is found that the subject matter of the OA is recovery and hence the matter is transferred to Single Bench.</p> <p>6. OA is adjourned to 3.3.2022.</p> <p align="center"> Sd/- (Medha Gadgil) Member (A) 3.2.2022 (sgj) </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022 </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 align="center"><u>O.A. No.799 of 2021</u></p> <p>U.R. Shinde & 4 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By this OA, the applicants are seeking deemed date of promotion on the post of Deputy Superintendent of State Excise Group B, and accordingly grant further promotion on the post of Superintendent of State Excise.</p> <p>3. Promotions, if any, will be subject to the outcome of this OA.</p> <p>4. Ld. CPO submits to the order of the Tribunal.</p> <p>5. S.O. to 10.3.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 3.2.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022</p>

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	<p align="center"><u>O.A. No.1066 of 2021</u></p> <p>V.D. Salok & 30 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicants and Advocate are absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO has raised objection on the ground of non-joinder of parties.</p> <p>3. The applicants to remove the said objection otherwise matter will not be listed and kept in sine die.</p> <p align="center"> Sd/- (Medha Gadgil) Member (A) 3.2.2022 (sgj) </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022 </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.48 of 2022</u></p> <p>B.V. Kale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Savita Suryawanshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant is direct to serve copy of OA in the office of CPO.</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 10.3.2022. 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 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>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. 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 style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 3.2.2022 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022</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 align="center"><u>O.A. No.60 of 2022</u></p> <p>Devidas R. Gujar & 12 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri L.S. Deshmukh, learned Advocate for the Applicants 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 10.3.2022. 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 3.2.2022 3.2.2022</p> <p>(sgj)</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 style="text-align: center;"><u>M.A. No.60 of 2022 in O.A. No.60 of 2022</u></p> <p>Devidas R. Gujar & 12 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri L.S. Deshmukh, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicants have filed this MA seeking amendment in prayer clause of the OA as per schedule annexed to MA.</p> <p>3. Permission for amendment granted. Amendment be carried out forthwith and amended copy of served on all concerned.</p> <p>4. MA disposed off accordingly.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 3.2.2022 (sg)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022</p> </div> </div>

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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>M.A. No.32 of 2022 in O.A. No.60 of 2022</u></p> <p>Devidas R. Gujar & 12 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri L.S. Deshmukh, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned 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> <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>3.2.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>3.2.2022</p> </div> </div>

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	<p align="center"><u>O.A. No.74 of 2022</u></p> <p>R.P. Pimpalgaonkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.G. Ligade, 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 3.3.2022. 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 3.2.2022 3.2.2022 (sgj) </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 align="center"><u>O.A. No.95 of 2022</u></p> <p>P.P. Bharad ..Applicant Vs. The State of Maharashtra & 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. 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 24.2.2022. 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 3.2.2022 3.2.2022</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.509 of 2014</u></p> <p>A.G. Shelar Since deceased by his heirs Smt. Ranjana A. Shelar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO produces letters dated 19.6.2020 and 15.7.2020 from the office of Commissioner of Police, Thane City stating that regarding the issue of dues of the applicant, they have asked the applicants to approach Civil Court as applicant has two wives to decide the rights and get the order accordingly.</p> <p>3. In view of the above, OA is disposed off accordingly.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 3.2.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022</p> </div> </div>

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	<p align="center"><u>C.A.55 of 2019 in O.As.805, 806 & 807 of 2016</u></p> <p>R.V. Dube & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On 24.9.2021 W.P. No.7154 of 2019 was dismissed by the Hon'ble High Court by giving three months time i.e. till 24.12.2021.</p> <p>3. Ld. PO produces copy of letter dated 22.12.2021. The letter was issued on 22.12.2021 thereafter one month and eleven days have gone still the applicants have not received actual monetary benefits. Thus the order of Tribunal and Hon'ble High Court has remained on paper and no actual benefits are given to the applicants.</p> <p>4. The respondents are called upon to show cause as to why contempt action is not to be taken against the respondents.</p> <p>5. Under Secretary, Women and Child Development Department, Mantralaya is directed to remain personally present in the Court on the next date.</p> <p>6. S.O. to 10.2.2022.</p> <p align="center"> <table border="0"> <tr> <td align="center">Sd/- (Medha Gadgil) Member (A) 3.2.2022</td> <td align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022</td> </tr> </table> </p> <p>(sgj)</p>	Sd/- (Medha Gadgil) Member (A) 3.2.2022	Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022
Sd/- (Medha Gadgil) Member (A) 3.2.2022	Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022		

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	<p align="center"><u>CA.19/2020 in OA.1158/16 with OA.352/17 with OA.353/17</u></p> <p>S.K. Goraksha & 23 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants has produced 24 pages note of non compliance by the Government. The Government to verify and tick mark each and every compliance.</p> <p>3. Ld. PO on the other hand has also submitted a chart to the applicants.</p> <p>4. Ld. Advocate for the applicants states that no pay fixation has been done by the department.</p> <p>5. Ld. PO to produce order of pay fixation, as it is claimed that it is not issued.</p> <p>6. S.O. to 8.2.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 3.2.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 3.2.2022</p> <p>(sgj)</p>

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	<p align="center"><u>C.A. No.22 of 2021 in O.A. No.21 of 2017</u></p> <p>A.A. Pawar ..Applicant Vs. The State of Maharashtra & 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. Shri S.T. Sherkar, Desk Officer, MPSC is personally present in the Court and states that concerned officer from MPSC who is dealing with the case is down with CORONA.</p> <p>3. In view of the above Ld. PO seeks two weeks time to file reply.</p> <p>4. S.O. to 17.2.2022.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.2.2022 3.2.2022</p> <p>(sgj)</p>

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	<p>Date: 10.02.2022</p> <p align="center">O.A. No.728 of 2021 (FOR SPEAKING TO THE MINUTES)</p> <p>S.S. KhaladkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Matter is taken on today's board for to correct some typographical minor mistake in para. 2 of order dated 03.02.2022.</p> <p>3. The Applicant is male but in para.2 it is referred as "She". The word she is ^{he} corrected as "He". Similarly, it is written that she is transferred to "Forensic Laboratory, Nagpur" it needs to be corrected as "Food and Drugs Administration, Laboratory, Nagpur". This be corrected in para. No.2.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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<p><i>* Corrected as per order dated 10.02.2022</i></p> <p><i>Godkar</i> <i>11-2-2022</i></p> <p>I/C Registrar Maharashtra Administrative Tribunal Mumbai.</p>	<p>Date: 03.02.2022</p> <p>O.A. No.728 of 2021</p> <p>S.S. KhaladkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged transfer order dated 09.08.2021 whereby she was transferred from Mumbai to Nagpur. <i>* She</i> ^{He} was working as Scientific Officer at Food & Drugs Administration Lab and now transferred to <i>* Food & Drugs Administration,</i> Forensic Laboratory, Nagpur. <i>* She</i> ^{He} was due for transfer, however she claim to be suffering from physical disabilities, and therefore made representation to the Government on 14.10.2021 and 18.10.2021 for retransfer to Mumbai.</p> <p>3. Whereas, learned P.O. submits that the Applicant was at Mumbai for 11 years. Respondents have not filed Reply in the matter till date though enough time is granted.</p> <p>4. In view of above, O.A. is disposed of with direction to the Respondents to decide the representation made by the Applicant dated 14.10.2021 and 18.10.2021 in accordance to Rules within 2 months from today. Decision as the case may be shall be communicated to the Applicant.</p> <p>5. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: right;">[PTO.]</p> <p style="text-align: center;">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.86 OF 2022**

Shri Sameer S. Tambekar & Anr. ..Applicants

Versus

The State of Maharashtra & Anr. ..Respondents

Mr. D.B. Khaire along with Sachin Chavan, Eeshan D. Khaire, Ahhijeet U. Pawar & Purva Pradhan – Advocates for the Applicants

Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
Smt. Medha Gadgil, Member (A)

DATE : 3rd February, 2022

ORDER

1. Heard Mr. D.B. Khaire along with Sachin Chavan, Eeshan D. Khaire, Ahhijeet U. Pawar & Purva Pradhan. learned Advocates for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicants seeks leave to add Law & Judiciary Department as party respondent. Leave granted. Amendment be carried out and amended copy be served on all concerned.

3. The applicants are working as Additional Public Prosecutor in Sessions Court, Kolhapur. The applicant no.1 was appointed on 8.7.2016

and applicant no.2 was appointed on 12.10.2015 under Section 24 of Cr.P.C. The applicants claim parity on the basis of clause 7.2.2 of the advertisement dated 7.1.2022 which was issued by the respondents for appointment to the post of Assistant Public Prosecutor who are going to be appointed under Section 25 of Cr.P.C.

4. Ld. Advocate for the applicants submits that earlier the applicants have approached the Hon'ble High Court by filing W.Ps. No.732/2022 & 733/2022. However, the Hon'ble High Court by its order dated 24.1.2022 allowed to withdraw the writ petitions in order to approach this Tribunal.

5. Ld. Advocate for the applicants submits that the age limit for appointment of Assistant Public Prosecutor working in the Court of Judicial Magistrate under Section 25(3) of the Cr.P.C. is fixed as 45 years under clause 7.2.2.

6. The applicants want to take up the permanent appointment in the Court of Judicial Magistrate on the post of Assistant Public Prosecutor seeking age relaxation which is available to the Additional Public Prosecutor working on contract basis. They seek this relaxation also to be extended to the applicants in view of their work experience which is equal or more than Assistant Public Prosecutor appointed on contract basis.

7. Ld. Advocate for the applicants submits that last date for filling up the application form is 4.2.2022. Hence, by way of interim relief they seek directions to the respondents to accept their application form.

8. Ld. CPO relies on proviso to sub-rule (i) of rule 3 of the Assistant Public Prosecutor, Group-A, in Directorate of Public Prosecution, Maharashtra State (Recruitment) Rules, 1995, which reads as follows:

“Provided that in case of candidates who are appointed as Special Assistant Public Prosecutor under sub-section(3) of Section 25 of the Code of Criminal Procedure, 1973 (2 of 1974) on contract basis, the upper age limit shall be relaxed upto the period for which he has worked on contract basis or upto the age of forty five years, whichever is less.”

9. Ld. CPO submits that persons who have applied and going to be appointed to this post other than who have worked on contract basis, the Government is following general rule of age limit which is the policy decision of the Government. She submits that for open candidates the age limit is 38 years and for reserved category it is 43 years.

10. We have considered the submissions, rules and clause 7.2.2 of the advertisement. The post of Public Prosecutor appointed under Section 24 of Cr.P.C. is for a period 3 years as per Law Officers Rules prepared in 1980 by the State of Maharashtra. These Public Prosecutors are working in the Court of Sessions and they are having experience in conducting criminal matters. The persons who are working for a limited tenure or period and the persons who are appointed on contract basis are also not given either permanent appointment and also not regularized in services in the Sessions Court. It is a particular period of 3 years.

11. In view of this, prima facie we are of the view that rules which are applicable to the Assistant Public Prosecutors who are working on contract basis can be applied by applying principle of parity to the Additional Public Prosecutor who are working in the Sessions Court and who have not crossed the age limit of 45 years.

12. Hence, we allow the prayer for interim relief mainly on the ground that if OA is decided in favour of the applicants in future the applicant



may lose their opportunity for employment. Hence, by way of interim relief we pass the following order.

O R D E R

The MPSC is directed to provide link and accept the application form of the applicants today and tomorrow.

S.O. to 4.3.2022.

Sd/-

(Medha Gadgil)
Member (A)
3.2.2022

Sd/-

(Mridula Bhatkar, J.)
Chairperson
3.2.2022

Dictation taken by: S.G. Jawalkar.

**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 : 03.02.2022</p> <p align="center">M. A. No.560 of 2021 in O.A.No.987 of 2021</p> <p>B. A. Yadav ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. L. Kulkarni, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay of five months and four days caused in filing O.A.No.987/2021 wherein challenge is to the order dated 11.11.2019 whereby recovery of Rs.90,817.47/- is sought on account of damage to the service quarter which was vacated by the applicant.</p> <p>3. Today, the matter is for filing reply but the same is not filed. Perusal of M.A. does not reveal any justifiable reason to condone the delay. All that it is stated that the Applicant was to get arrears in terms of 7th Pay Commission which has nothing to do with impugned communication dated 11.11.2019, it being totally separate issue.</p> <p>4. However, in the interest of justice, I am inclined to condone the delay of five months subject to cost.</p> <p>5. M.A. is allowed subject to payment of cost of Rs.2000/- within two weeks. If cost is paid, O.A. be listed before the Tribunal for admission hearing. If the cost is not paid within time, O.A. will stand automatically dismissed without reference to Tribunal.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p align="right">[PTO.]</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 : 03.02.2022</p> <p align="center">O.A.No.892 of 2021</p> <p>S.B. KharatApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.B. Chalak, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to 04.03.2022. Interim relief to continue till next date.</p> <p align="center">Sd/- <i>(Handwritten Signature)</i> (Medha Gadgil) Member(A)</p> <p align="center">Sd/- <i>(Handwritten Signature)</i> (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 03.02.2022</p> <p align="center">O.A.No.694 of 2021</p> <p>Dr. R.C. KuwarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Ms. Advaita Lonkar, holding for Mr. M.D. Lonkar, learned Advocate for Respondent No.2.</p> <p>2. The learned P.O. submits that she has already filed affidavit-in-reply.</p> <p>3. Today learned Advocate Ms. Advaita has filed affidavit-in-reply on behalf of Respondent No.2. It be taken on record.</p> <p>4. Adjourned to 25.02.2022.</p> <p align="center">Sd/- / Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) / Chairperson</p> <p>prk</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 : 03.02.2022</p> <p align="center">O.A.No.770 of 2020</p> <p>R.R. KalaskarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files affidavit-in-sur-rejoinder. It be taken on record. Copy is served upon learned Advocate for the Applicant.</p> <p>3. Adjourned to 18.04.2020. To be tagged along with O.A.No.663/2020 with O.A.No.351/2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p align="center">prk</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 : 03.02.2022</p> <p align="center">O.A.No.639 of 2021</p> <p>M.S. Patil & Ors.Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.R. Ghanavat, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. submits that affidavit-in-reply is already filed.</p> <p>3. Admit with liberty to file rejoinder.</p> <p>4. Adjourned to 17.03.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</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>02.02.2022</u></p> <p align="center"><u>O.A 551/2020</u></p> <p>Shri P.R Shinde & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. At the request of learned counsel for the applicant, matter which was fixed for hearing on 5.4.2022 is taken on Board today and is now fixed on 28.2.2022.</p> <p>3. S.O to 28.2.2022.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</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 : 03.02.2022</p> <p>O.A.No.51 of 2020 with O.A.No.52 of 2020 with O.A.No.53 of 2020 with O.A.No.54 of 2020 with O.A.No.488 of 2019 with O.A.No.491 of 2019 with O.A.No.492 of 2019 with O.A.No.493 of 2019 with O.A.No.217 of 2020</p> <p>K.B. Shivsharan (O.A.51/2020) D.P. Patil (O.A.52/2020) S.U. Sonawane (O.A.53/2020) N.D. Trigune (O.A.54/2020) G.R. Khandagale (O.A.488/2019) V.V. Alange (O.A.491/2019) D.L. Melge (O.A.492/2019) S.K. Vhanmane (O.A.493/2019) N.S. Kalyansheeti (O.A.217/2020)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Amruta Chalke, learned Advocate holding for Mr. Arjun Patil, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. Ms. K.S. Gaikwad submits that affidavit-in-reply is already filed in O.A.No.488 /2019, O.A.No.492/2019 and O.A.No.493/2019. Today she has filed affidavit-in-reply in O.A.No.51 /2020, O.A.No.52/2020 and O.A.No.53/2020. She seeks time to file affidavit-in-reply in O.A.54/2020 and O.A.No.217/2020.</p> <p>3. Adjourned to 18.02.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p align="left">prk</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 : 03.02.2022</p> <p>O.A.No.460 of 2021</p> <p>M.D. JadhavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.K. Bhangoji, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. submits that affidavit-in-reply is already filed.</p> <p>3. Admit with liberty to file rejoinder.</p> <p>4. Adjourned to 11.03.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 03.02.2022</p> <p align="center">O.A.No.495 of 2021</p> <p>A.S. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.B. Solanke, learned Advocate for the Applicants and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that affidavit-in-reply is already filed.</p> <p>3. The learned Advocate submits that affidavit-in-reply is not filed on behalf of Respondents No.1 and 2.</p> <p>4. Matter to proceed without affidavit of Respondents No.1 and 2.</p> <p>5. Admit with liberty to file rejoinder. Adjourned to 05.04.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 Date: 03.02.2022
	<p>O.A. No.42 of 2022 with O.A. No.58 of 2022 with O.A. No.59 of 2022 with O.A. No.77 of 2022 with O.A. No.88 of 2022 with M.A. No.54 of 2022 in M.A. No.63 of 2022 with O.A. No.90 of 2022 with M.A. No.55 of 2022 with O.A. No.92 of 2022 with O.A. No.93 of 2022 with O.A. No.110 of 2022 with M.A. No.67 of 2022</p> <p>A.B. Handal & Ors. G.B. Kolhal & Ors. V.J. Jadhav & Ors. R.B. Jadhav B.S. Chavan & Ors. R.V. Mavkar & Ors. R.G. Lokhande S.R. Kedar A.S. Chore & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent – The Director General of Police and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent – The Commissioner of Police.</p> <p>2. All these matters are clubbed together since those are arising from the common order whereby the Director General of Police has issued transfer order in mass on the request of Police Personal. They have not completed normal tenure of 8 years in Police Commissionerate, Mumbai.</p> <p>3. Thus <i>prima-facie</i>, there is no meaningful consultation or deliberation between the Commissioner of Police, Mumbai and the Director General of Police. By order dated 17.12.2021, 269 Police Sub Inspector were transferred and out of it 187 were from Mumbai. These 187 Police Personal were transferred from Mumbai to other parts of the state without providing a single substitute. This is the reason for not relieving them by the Commissioner of Police, Mumbai. Insofar</p>

P.T.O.

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

Tribunal's orders

as minutes of P.E.B. are concerned those are not signed by the Commissioner of Police, Mumbai that itself shows he was not agreeable to the transfer orders. He therefore raised his grievances by sending confidential report to the Additional Chief Secretary, Home Department. However, no further steps were taken in that behalf by Government.

4. In view of above situation, in main O.A. No.42/2022, the Additional Chief Secretary, Home Department is added as Respondent by order dated 31.01.2022 and today matter is kept for the response of the Government.

5. Smt K.S. Gaikwad, learned P.O. holding for Ms. S.P. Manchekar, learned C.P.O. requested for two weeks time to take instruction from the Government. The Additional Chief Secretary, Home Department is served with the notice of O.A. but nobody is present from the Department.

6. As such, issue is about non relieving of the Applicant despite transfer order issued by the Director General of Police and now issue seems to be ~~redressed~~ ^{referred} to the Government in view of disagreement in between the Director General of Police and the Commissioner of Police, Mumbai over transfers. Indeed, such huge number of Police Personal should not have been transferred from Mumbai without taking care of the substitute. Not a single substitute is given in Mumbai though 187 Personal are withdrawn from Mumbai. It is on this background the Commissioner of Police, Mumbai has raised grievances of crunch of Police Personal which cannot be said unfounded.

7. It would be appropriate for authorities concerned to sit together and solve the issue. On request to learned P.O. matter is adjourned to 07.02.2022 with specific direction that no further time will be granted.

8. S.O. to 07.02.2022

9. Steno copy granted.

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
	<u>M.A. No.531 of 2021 in O.A. No.682 of 2021</u>
	S.D. Naikade & 16 Ors. ..Interveners And
	Dr. K.J. Kuwar & 6 Ors. ..Applicants Vs.
	The State of Maharashtra & Ors. ..Respondents
	<p style="text-align: center;">Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Smt. Punam Mahajan, Ld. Advocate for the Interveners has filed leave note.</p> <p>3. Ld. Advocate for the applicants makes a statement that seniority of the Interveners is going to be effected if OA is allowed.</p> <p>4. Ld. Advocate for the applicants produces a copy of communication dated 2.2.2022 which is pursuant to the select list from Deputy Director of Education (Administration). The same is taken on record and marked Exh.'1' for identification. Ld. Advocate submits that in the said communication Shri Dattatraya S. Matpathi shown at Sr. No.49 is retired on 30.6.2013 as per seniority list of 23.11.2021.</p> <p>5. Ld. Advocate submits that out of 6 applicants, Applicant No.1- Dr. Kiran J. Kuwar has scored 70 marks, Applicant No.2- Trupti V. Andhare has scored 74 marks and Applicant No.5-Ashwini K. Sonavane has scored 74 marks, which are higher than the private respondents and Interveners.</p> <p>6. The respondents are called upon to show when the seniority list was published and when the objections were called in respect of provisional seniority list.</p> <p>7. The communication dated 2.2.2022 pursuant to select list issued by Dy. Director of Education is subject to the</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>decision of this Tribunal where the applicants have challenged their seniority. Promotions, if any, are made will be subject to the outcome of this OA.</p> <p>8. The Education Department is directed to make this select list public and this order is to be mentioned in all the official communications in respect of promotion to the post of Education Officer.</p> <p>9. S.O. to 8.2.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Médha Gadgil) Member (A) 3.2.2022</p> <p>(sgj)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson 3.2.2022</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>M.A. No.592 of 2021 in O.A. No.799 of 2021</u></p> <p>D.D. Aher & 5 Ors. ..Interveners And U.R. Shinde & 4 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Shantanu Raktate, learned Advocate for Interveners, Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pursuant to our earlier order dated 4.1.2022, a short affidavit dated 2.2.2022 is filed by Anup Basavraj Puranik, Deputy Commissioner of State Excise, MS, Mumbai. In para 5 of the affidavit it is mentioned that Interveners are senior to the applicants and if OA is allowed by giving deemed date of promotion of 30.4.2014 to the applicants, the Interveners are going to be adversely effected.</p> <p>3. Ld. Advocate for the Interveners submits that Interveners are going to be effected and they are direct recruits of 2015.</p> <p>4. Ld. Advocate for the applicants submits that Interveners have no locus to file this MA for intervention. Ld. Advocate for the applicants submits that Interveners joined the service in 2015 by way of nomination and applicants were promoted to the same post in 2019. Ld. Advocate for applicants submits that Interveners have not cleared departmental examination and they are claiming exemption which is not permissible as per Rule 6(a) of Rules dated 1.4.1980 and as per judgment and order dated 16.7.2009 passed by this Tribunal in OA No.634 of 2009 and dated 19.11.1992 passed in TA No.125 of 1991 (W.P. No.814/1989).</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The points raised by the I.d. Advocate for the applicants about seniority and the objection about eligibility of the direct recruitment whether they have cleared the departmental examination and their claim for exemption can be dealt with on merits. These points will be considered while deciding the OA as they directly go to the merits of the OA.</p> <p>6. For the aforesaid reasons, we allow MA No.592 of 2021 for intervention. The applicants are directed to add Interveners are party respondents no.6 to 11 in OA No.799 of 2021 and serve copy of OA to the I.d. Advocate for the Intervener. MA disposed off accordingly.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha/Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member (A) Chairperson</p> <p style="text-align: center;">3.2.2022 3.2.2022</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>Date : 03.02.2022</p> <p align="center">O.A.No.667 of 2021</p> <p>N. G. GangurdeApplicant</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. Today, learned P.O. has tendered Affidavit in-Sur-Rejoinder. It is taken on record.</p> <p>3. S.O. to 07.02.2022 for hearing.</p> <p align="right">Sd/- v (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: 03.02.2022</p> <p align="center">O.A. No.961 of 2021</p> <p>G.M. KankdandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, 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-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant one week time is granted for filing Rejoinder.</p> <p>4. S.O. to 10.02.2022.</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: 03.02.2022</p> <p align="center">O.A. No.878 of 2021</p> <p>R.C. DeshmukhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dudhane, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply by way of most last chance.</p> <p>3. S.O. to 10.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

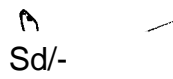
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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: 03.02.2022</p> <p align="center">M.A. No.469 of 2021 in O.A. No.600 of 2017</p> <p>S.G. DhanawadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos1 to 3. It is taken on record.</p> <p>3. S.O. to 24.02.2022.</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: 03.02.2022</p> <p align="center">O.A. No.973 of 2021</p> <p>S.S. ThoratApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. S.O. to 16.02.2022.</p> <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: 03.02.2022</p> <p align="center">O.A. No.1028 of 2021 with O.A. No.1029 of 2021 with O.A. No.1030 of 2021</p> <p>K.D. Garud T.D. Pednekar A.K. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.R. Gawas, learned Advocate for the Applicant and Smt. Archana B.K., Shri A.J. Chougule & Smt. K.S. Gaikwad learned Presenting Officer for the Respondents.</p> <p>2. These O.As. are filed for Pensionary benefits and were before Registrar in view of objection raised by the Office on the point of non filing of M.A. for condonation of delay. The Applicants stand retired long back.</p> <p>3. Learned Advocate for the Applicant states that he wants to file afresh O.A. along with M.A. for condonation of delay in proper manner, and therefore seeks permission to withdraw this O.As. with liberty to file afresh O.A.</p> <p>4. Allowed to withdraw O.As. with liberty to file afresh O.A. as may be permissible in law and the maintainability of the claim will be decided on its own merit.</p> <p>5. No order as to costs.</p> <p align="right">Sd/-</p> <p align="right">(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

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 : 03.02.2022</p> <p align="center">O.A.No. 807 of 2021</p> <p>T. V. Pawar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Pawar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed affidavit in reply on behalf of Respondent Nos. 1 and 2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 02.03.2022.</p> <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

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 : 03.02.2022</p> <p align="center">M. A. No.470 of 2021 in O.A.No.857 of 2021</p> <p>L. P. Gaikwad & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri P. S. Jadhav, 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., two weeks time is granted for filing reply to M.A.</p> <p>3. S.O. to 17.02.2022.</p> <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

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 : 03.02.2022</p> <p align="center">O.A.No.921 of 2021</p> <p>R. P. Mhaskar ...Applicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 14.02.2022.</p> <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

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 : 03.02.2022</p> <p align="center">O.A.No.983 of 2021</p> <p>P. G. KokitkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere, 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., two weeks time is granted for filing reply.</p> <p>3. S.O.to 17.02.2022.</p> <p align="right">Sd/-</p> <p align="right">(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 : 03.02.2022</p> <p style="text-align: center;">O.A.No.100 of 2022</p> <p>J. S. PanditApplicant</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 Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant is working on the post of Naib Tahsildar has filed present O.A. claiming following reliefs :-</p> <p style="padding-left: 40px;"><i>“9(a) By a suitable order / direction, this Hon’ble Tribunal may be pleased to direct the Respondent to implement the GR’s dated 15.03.1969 and 29.02.2016 and thus to declare the Petitioner to be deemed confirmed / permanent Naib Tahasildar with effect from due date, namely from 11.08.2004 as against 28.04.2014 having thus satisfactorily completed the probation period and accordingly the Petitioner be granted all the consequential service benefits.</i></p> <p>3. Learned Counsel for the Applicant submits that since O.A. is filed for implementation of G.R. dated 29.02.2016, as per office order dated 28.05.2021 it pertains to Single Bench.</p> <p>4. Whereas, learned C.P.O. submits that the issue is about confirmation of probation period, and therefore, it pertains to Division Bench.</p> <p>5. True, in office order dated 28.05.2021, the subject of implementation of G.R. as per Sr. No.18 pertains to Single Bench. But here dispute pertain to confirmation of probation.</p> <p>6. The subject of dispute regarding probation is not specifically assigned to Single Bench or Division Bench.</p> <p>7. In the present case, basically the issue pertains to confirmation of probation, therefore, the Registrar is directed to examine the matter and to place it before the Hon’ble Chairperson for seeking necessary directions.</p> <p style="text-align: right;">Sd/-</p> <p style="text-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

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 : 03.02.2022</p> <p align="center">O.A.No.830 of 2021</p> <p>D. V. GhagApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 02.03.2022.</p> <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

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: 03.02.2022</p> <p align="center">O.A. No.739 of 2020</p> <p>S.S. ShelkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is serving as Police Inspector on the establishment of the Commissioner of Police, Mumbai and has completed 5 years. He sought transfer to Satara on the ground that his wife is staying at Karad, Dist. Satara and sought transfer in terms of circular dated 27.11.1997. As such, this O.A. is filed for direction to consider his request for transfer.</p> <p>3. Today learned P.O. has tendered order dated 03.02.2022 which shows that Respondent has accepted the request of the Applicant in terms of decision of P.E.B. He is transferred to Satara on request and the copy is also sent to the Commissioner of Police, Mumbai for relieving him. Letter is taken on record and marked as 'X' for identification.</p> <p>4. As such, in view of order dated 03.02.2022, grievances of the Applicant is redressed.</p> <p>5. O.A. is therefore disposed with direction to Respondent\$ to ensure that the Applicant is relieved within 2 weeks.</p> <p>6. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</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 : 03.02.2022</p> <p style="text-align: center;">O.A.No.1015 of 2021</p> <p>P. B. GhodakeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 12.07.2021 inter-alia contending that he is subjected to prolong suspension. He was arrested for the offence under Section 7 of the Prevention of Corruption Act, 1988. His headquarter was changed from Nashik to Malegaon. 3. When the matter was taken up for admission on 16.12.2021, learned Counsel for the Applicant has raised grievance of change of Headquarter at Malegaon from Nashik and pointed out that in view of Circular dated 29.03.2008, the Applicant was required to be kept at Headquarter during the period of suspension. Therefore, directions were given to learned P.O. how headquarter is changed. Thereafter, the matter is adjourned twice for filing reply. 4. Today, learned Counsel for the Applicant has tendered letter dated 14.01.2022 issued by Collector stating that his request for change of Headquarter is not acceptable. There is no reference of G.R. dated 29.03.2008 in the order. Besides, learned Counsel for the Applicant has also raised grievance of non-payment of subsistence allowance @ 75% since the suspension is exceeded three months period. 5. Today, learned P.O. again requested for grant of time to file reply. 6. One week time is granted to file reply by way of last chance. In the meantime, subsistence allowance be paid as per entitlement of the Applicant. 7. Learned P.O. is further directed to make it clear how the Applicant is not entitled to Headquarter at Nashik as per G.R. dated 29.03.2008. 8. S.O. to 10.02.2022. <p style="text-align: right;">Sd/- _____</p> <p style="text-align: right;">(A.P. Kurhekar) 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>Date : 03.02.2022</p> <p align="center">O.A.No.825 of 2021</p> <p>G. S. KaranjeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant has sent leave note. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</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 10.02.2022.</p> <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____

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 : 03.02.2022</p> <p align="center">O.A.No.819 of 2021</p> <p>V. R. Katkar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G.A. 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. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 16.02.2022.</p> <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

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 : 03.02.2022</p> <p align="center">O.A.No.906 of 2021 with O.A. No.907 of 2021</p> <p>P. K. Mokashi & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicants and Smt. Archana B. K. learned Presenting Officer for the Respondents.</p> <p>2. In O.A.No.906/2021, learned P.O. has tendered Affidavit in reply on behalf of the Respondent No.1. it is taken on record. No separate reply is filed on behalf of Respondent No.2.</p> <p>3. In O.A. No.907/2021, learned P.O. has tendered reply of behalf of the Respondents. It is taken on record.</p> <p>4. Two weeks time is granted for filing Rejoinder, if any.</p> <p>5. S.O. to 17.02.2022.</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

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 : 03.02.2022</p> <p>M. A No.461 of 2021 in O.A.No.846 of 2021</p> <p>Late Mrs. K. D. Kikhar since Deceased through her heir and L.R. Mr. Dhanaraj D. LikhharApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms S. T. Suryawanshi, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply to M.A.</p> <p>3. S.O. to 17.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 03.02.2022</p> <p align="center">M. A. No.446 of 2021 in O.A.No.821 of 2021 with O.A.No.46 of 2020</p> <p>P. J. Jadhav ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant has sent leave note. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned Counsel for the Applicant, three days time is granted for filing reply to M.A. by way of last chance.</p> <p>3. S.O. to 08.02.2022.</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 : 03.02.2022</p> <p style="text-align: center;">O.A.No.76 of 2022</p> <p>B. K. NaraleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Y. B Lengary, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged communication dated 15.02.2021 whereby it was informed to Accountant General to withdraw his retiral benefits. 2. Issue notice before admission returnable on 04.03.2022. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 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.. Respondents are put to notice that the case would 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. 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. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 04.03.2022. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) 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>Date : 03.02.2022</p> <p align="center">M. A. No.559 of 2021 in O.A.No.986 of 2021</p> <p>U. V. MoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri C. T. Chandratre, learned Counsel for the Applicant has sent leave note. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Affidavit in reply on behalf of Respondent No.3 is already filed.</p> <p>3. On request of learned P.O, two weeks time is granted for filing reply on behalf of Respondent Nos.1 and 2 and no further time will be granted.</p> <p>4. S.O. to 18.02.2022.</p> <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

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 : 03.02.2022</p> <p align="center">O.A.No.590 of 2021</p> <p>P. B. KaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, two weeks time is granted to file Rejoinder.</p> <p>3. S.O. to 16.02.2022.</p> <p align="right">Sd/- vsm (A.P. Kurhekar) 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>Date : 03.02.2022</p> <p align="center">O.A.No.794 of 2021</p> <p>D. F. Fernandes & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. 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., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 16.02.2022.</p> <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

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 : 03.02.2022</p> <p align="center">O.A.No.797 of 2021</p> <p>B. D. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 16.02.2022.</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

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 : 03.02.2022</p> <p align="center">O.A.No.805 of 2021</p> <p>Dr. A. Y. Saraf & Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Yashodeep Deshmukh holding for Shri V. P. Sangvikar, learned Counsel for the Applicant and Smt. Archana B. K., 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 10.02.2022.</p> <p align="right">Sd/-</p> <p align="right">(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

Date : 03.02.2022

O.A.No.1023 of 2021

A.T. Ingawale

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Today, learned P.O. has tendered reply on behalf of the Commissioner of Police, Mumbai. It is taken on record.
3. Issue notice before admission returnable on 03.03.2022.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. 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.
8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. S.O. to 03.03.2022.

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 : 03.02.2022</p> <p style="text-align: center;">M. A. No.68 of 2022 in O.A.No.1023 of 2021</p> <p>A.T. IngawaleApplicant</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. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for impleading General Administration Department, Government of Maharashtra as a party respondent on the ground that the circulars in the matter of compassionate appointment are issued by G.A.D. and it is necessary party.</p> <p>3. Allowed to add G.A.D. as the Respondent No.2.</p> <p>4. Amendment be carried out forthwith.</p> <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>	

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

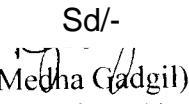

of 20

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 align="center"><u>O.A. No.86 of 2022</u></p> <p>S.S. Tambekar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Mr. D.B. Khaire along with Sachin Chavan, Eeshan D. Khaire, Ahhijeet U. Pawar & Purva Pradhan. learned Advocates for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p align="center"><u>OPERATIVE PART OF THE ORDER</u></p> <p>The MPSC is directed to provide link and accept the application form of the applicants today and tomorrow.</p> <p>S.O. to 4.3.2022.</p> <p align="center">Sd/-  (Medha Gadgil) Member (A) 3.2.2022</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson 3.2.2022</p> <p>(sgj)</p>