(G.C.P.) J 2737 (50,000–4-2019) [Spl.- MAT-F-2 E. IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

The an

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 O.A. No.143 of 2023	
	Archana H. Bhonkar Vs.	Applicant
	The State of Maharashtra &	COrsRespondents
	Applicant, Ms. S.P. Mam	Kango, learned Advocate for the chekar, learned Chief Presenting No.1 to 4 and Ms. Kanchan T. or Respondent No.5.
	2. In this OA the applicant is working as Assistant in the establishment of Maharashtra State Legal Services Authority, Mumbai since 26.9.2005 and seeks promotion to the post of Establishment Officer.	
	maintainable on the ground the applicant is working Services Authority, High establishment comes under states that under Section 2(Act, 1985 the provisions of	CPO submits that the OA is not a of jurisdiction of the Tribunal as in the Maharashtra State Legal Court, Mumbai and the said or the Hon'ble High Court. She c) of the Administrative Tribunals of this Act are not applicable to any preme Court or of any High Court to.
	is appointed by the Law Assistant in the Maharasht Ld. Advocate submits that Authority comes under the therefore applicant is a Go office order dated 25.6.20 High Court Legal Servic appointing the applicant or Legal Services Committee relied on letter dated 21.1.2 Maharashtra State Legal Mumbai by which the Sect	he applicant submits that applicant and Judiciary Department as an ra State Legal Services Authority. Maharashtra State Legal Services Law & Judiciary Department and overnment servant. He relied on 15 issued by the Secretary of the es Committee, Mumbai thereby in the establishment of High Court w.e.f. 19.6.2015. He has further 2012 issued by Member Secretary, Services Authority, High Court, retary, High Court Legal Services ve preference to the feeder cadre

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

Tribunal's orders

staff members who were permanently absorbed on the establishment of DLSA while filling up various vacant posts before calling willingness from the establishment of District Court and High Court, Bombay and its Benches at Nagpur and Aurangabad.

He further submits that the applicant has made 5. representation dated 16.6.2022 to the Hon'ble Chairman, Shri Justice S.S. Shinde, High Court Legal Services Committee, Mumbai and the Hon'ble Chairman has recommended her name to the Government. He further points out letter dated 1.2.2023 wherein Under Secretary, Maharashtra State Legal Services Authority has written to the Secretary, High Court Legal Services Committee about the appointment of respondent no.5 as Establishment Officer from post of Deputy Registrar, Small Causes Court. He then relied on office order dated 5.5.2011 issued by Secretary, High Court Legal Services Sub-Committee, Aurangabad Bench appointing Shri N.K. Jadhav, Offtg. Assistant on the establishment of High Court Legal Services Sub-Committee, Aurangabad as Establishment Officer on the establishment of High Court Legal Services Sub-Committee, Aurangabad.

We have considered submissions of Ld. Advocate for 6. the applicant. Perused all the documents relied on. This OA is filed on complete misconception of law. The applicant, as pointed out by the Ld. CPO, was appointed by order dated 26.9.2005 as Officiating Clerk/Typist on the establishment of Maharashtra State Legal Services Authority, Mumbai. The applicant initially has appeared pursuant to the advertisement for departmental examination for the post of Clerk-Typist and she was waited listed as per select list. Therefore while filling up the post in the Maharashtra State Legal Services Authority she was given appointment in 2005. The employees working in Maharashtra State Legal Services Authority, High Court come under the establishment of High Court as their parent department is High Court.

7. For the aforesaid reasons the OA deserves to be dismissed. Hence, OA is dismissed. No order as to costs.

Sd/-(Medha'Gadgil) Member (A) 3.3.2023 (sgj) Sd/-(Mridula Bhatkar, J.) Chairperson 3.3.2023

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Spl.- MAT-F-2 E. (G.C.P.) J 2737 (50,000-4-2019) IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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FARAD CONTINUATION SHEET No. Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders M.A. No.440 of 2022 in O.A. No.327 of 2019 (A'bad) Pushpak Rohidas Kachve .. Applicant Vs. The State of Maharashtra & Ors. .. Respondents Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Advocate and Applicant are absent. This MA No.440 of 2022 is filed under Section 25 of 2. the Administrative Tribunals Act, 1985 for transferring OA No.327 of 2019 from Aurangabad Bench of this Tribunal to Principal Bench at Mumbai. The OA is filed praying for compassionate appointment. The applicant has pleaded the ground of territorial jurisdiction raised by the Tribunal. Ld. PO submits to the order of the Court. 3. In view of the facts and circumstances of the case 4. and for the reasons mentioned therein the MA for transfer of OA No.327 of 2019 pending at Aurangabad Bench of this Tribunal to Principal Bench at Mumbai, is allowed. Sd/-Sd/-(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.3.2023 3.3.2023 (sgj) AC Alt [P.T.O.

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

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of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 03.03.2023		
	C.A.No.6	/2022 in O	.A.No.574/2020
	The State of Mal 1. Heard M Advocate for t learned Present: Mr. M.D. Low Respondents No 2. Learned letter dated 2	r. Gaurav A he Applicating Officer f nkar, learn o.1 to 3. 1 Advocate 1 8.02.2023	Applicant OrsRespondents. . Bandiwadekar, learned nt, Ms. Archana B.K., or the Respondents and ned Advocate for the Mr. Lonkar has tendered received on 01.03.2023 fficer, Z.P. to the office of
	3. Adjourn	ed to 17.03.	2023.
	S	d/-	Sd/-
	(Medha Memb	Gadgfl) er (A)	(Mridula Bhatkar, J.) Chairperson
	prk		

|Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

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DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

ffice Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 03.03.2023	
	O.A.No.2	22/2023
	M.P. Bagul Vs. The State of Maharashtra	Applicant
		Pradhan, learned Advocate
		aire, learned Advocate for S.P. Manchekar, learned
	Chief Presenting Officer fo	
	Chief Fleschung Onleer it	. die neepondente
		seeks time as the file is on'ble the Deputy Chief
	3. Adjourned to 24.03.2023. Interim relief, if any, to be continued till next date.	
	uny, to be contained	
	Sd/-	Sd/-
	(Medha Gadgil)	(Mridula Bhatkar, J.)
	prk Member (A)	Chairperson

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[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's o	orders
	Date : 03.03.2023	
	O.A.No.12	64/2022
	R.B. Kale Vs. The State of Maharashtra &	Applicant & OrsRespondents.
	1. Heard Mr. Trunal	Tonape with Ms. Nikita
	Anandache i/b Mr. Asin Manchekar, learned Chief Respondents	n Sarode and Ms. S.P.
	Commissioner, M.P.S.C 20.02.2023 has taken t matter and confirmed the	he decision in the said e earlier order passed by
	the M.P.S.C. which is dated 10.10.2022.	
		s and circumstances and
	M.P.S.C, being the consti	tutional body, we dismis
	the O.A.	
	Sd/-	Sd/-
	(Medha Gadgil) Member (A)	(Mridula Bhatkar, J. Chairperson
	prk	
		[<i>P.T.C</i>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

[Spl.- MAT-F-2 E.

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders M.A. No.136 of 2023 in O.A. No.309 of 2018 Janardhan R. Pawar .. Applicant Vs. The State of Maharashtra & Ors. .. Respondents Heard Ms. Purva Pradhan holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. This MA No.136 of 2023 is filed under Section 25 of 2. the Administrative Tribunals Act, 1985 for transferring OA No.309 of 2018 from Principal Bench at Mumbai of this Tribunal to Aurangabad Bench. The subject matter of the OA is compulsory retirement. Ld. Advocate for the applicant submits that now the applicant is residing at Nanded and it will be convenient for the applicant to attend the proceedings before the Aurangabad Bench. 3. Ld. PO submits to the order of the Court. In view of the facts and circumstances of the case 4. and for the reasons mentioned therein the MA for transfer of OA No.309 of 2018 from Principal Bench at Mumbai of this Tribunal to Aurangabad Bench, is allowed. Sd/-Sd/-(Medha Gadgil) (Mridula Bhatkar, J.) Chairperson Member (A) 3.3.2023 3.3.2023 (sgj) With all all [P.T.O.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT (Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

0.A.77 of 2021

Shri D.D. Pujari Vs.

... Applicant ... Respondents

The State of Mah. & ors.

1. Shri S.D. Joshi, learned Advocate for the Applicant and Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present.

2. In this O.A, the Applicant is seeking direction to the Respondents to declare him eligible for 2nd benefit of ACP Scheme w.e.f. 01.01.2016. He joined as Chief Officer Class-II in 1996. He got 1st benefit of TBP in 2008. He ought to have completed further 12 years for 2nd benefit of ACPS in 2020. However, in the meantime, the Government had issued G.R. dated 02.03.2019 thereby introducing the benefit of TBP in 3 stages i.e. 10+10+10. According to said G.R, a Government servant who was given the benefit of 12 years, he would be entitled to 2nd benefit after 8 years. It is in pursuance of this G.R, the DPC was held on 20.09.2019. The DPC examined the eligibility of the Applicant for 2nd benefit as on 01.01.2016. That time, it was noticed by DPC that the was already initiated against Applicant on the 06.08.2019. The DPC, therefore, held the Applicant ineligible for 2nd benefit. It is on this background, the O.A. is filed.

3. Subsequent development in the matter is that in DE, the Applicant is subjected to punishment of censure on 06.12.2022.

4. Heard the matter for some time.

5. During the course of argument, learned Advocate for the Applicant raised the issue that since Applicant is subjected to minor punishment of censure, he needs to be considered eligible for 2nd benefit. Indeed, this is different issue which has

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

nothing to do with the present relief claimed in the O.A.

6. At this juncture, learned Advocate for the Applicant, however, sought permission to withdraw O.A. with liberty to make representation to Respondent No.2 claiming the benefit of ACPS on the ground that punishment of censure would not come in his way.

7. In view of above, allowed to withdraw the O.A.

8. If, any such representation is made within two weeks from today, it shall be decided by Respondent No.2 within six weeks thereafter and decision be communicated to the Applicant.

8. No order as to costs.

110-Sd/-

(A.P. Kurhekar) Member-J 03.03.2023

(skw)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	O.A.No.203 of 2023
	R. N. RudrurkarApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri G. A. Bandiwadekar, learned Counsel fo the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
	2. Learned P.O. submits that recently the Government
	has taken decision by G.R. dated 14.12.2022 to give
	retirement benefits to Government servants who were taker
	on supernumerary post and now the pension file of the
	Applicant will be processed soon.
	3. In view of above, the O.A. is disposed of with
	direction to Respondents to finalize pension papers and to
	ensure release of retirement benefits to the Applicant as per
	his entitlement within four weeks from today.
	4. The Applicant is at liberty to redress the grievance of
	interest independently.
	5. No order as to costs.
	Sd/-
	بوری (A.P. Kurhekar) Member(J)
	6. In the afternoon session learned Council for the
	and alle interneon session, learned courser for the
	Applicant prayed to recall the order passed in the morning session stating that he made wrong statement that Applicant
	was on supernumerary post though in fact it is not so. He has IPTO

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

further pointed out that in O.A. there is specific pleading that work the never kept on supernumerary post. He, therefore, submits that Applicant is deprived of retirement benefits without any reason and, therefore, entitled to interest also.

7. In view of above, the O.A. needs to be heard on its own merit particularly on claim of interest. The order of dismissal of O.A. passed in the morning session is recalled.

8. Two weeks' time is granted to learned P.O. to file reply.

Sd/-

v

(A.P. Kurhekar) Member(J)

9. S.O. to 16.03.2023.

vsm

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DISTRICT

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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..... Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Tribunal's orders directions and Registrar's orders M.A.81/2023 in O.A.85/2023 with M.A.98/2023 in O.A.86/2023 with M.A.99/2023 in O.A.87/2023 Shri D.M. Jagtap Applicant Vs. The State of Mah. & ors. ... Respondents 1. Shri S.D. Joshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 2. These M.As are filed to condone the delay caused in filing O.A. wherein claim for grant of increment which was due on 1st July, but Applicant did not get it because of his retirement on 30th June of the concerned year. 3. Issue notice to the Respondents made returnable on 6th April, 2023. 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. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. In case notice is not collected within seven days 7. or service report on affidavit is not filed three days before returnable date, the M.A. shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the M.A. shall stand dismissed. 10 [*P.T.O.*]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribun	Tribunal's orders	
	8. The service may be done by Hand Delivery/Spe Post/Courier and acknowledgement be obtained at produced along with affidavit of compliance in t Registry within one week. Applicant is directed to f Affidavit of compliance and notice.		
	9. S.O. to 6 th April, 20	023.	
		Sd/-	
		(A.P. Kurhekar) Member-J 03.03.2023	
	(skw)		
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

Date : 03.03.2023

M. A. No.107 of 2023 in O.A.No.192 of 2023

D. V.Sawant

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri Anup Dhannawat , learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent and Ms Pooja Singh, learned Counsel for Respondent No.2.

2. M.A. is filed to condone 985 days delay caused in filing O.A. in which Applicant has claimed difference of various monetary benefits in terms of 7th Pay Commission.

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

4. Issue notice before admission returnable on 31.03.2023.

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

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

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

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

S.O. to 31.03.2023.

, (A.P. Kurhekar) Member(J)

Sd/-

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 03.03.2023	
	O.A.No.252 of 2021	
	Dr. A. R. KambleApplicant	
	Versus	
	The State of Maharashtra & OrsRespondents.	
	1. Heard Shri G. A. Bandiwadekar, learned Counse the Applicant and Ms S.P. Manchekar, learned C Presenting Officer for the Respondents.	
	2. Today, I-earned C.P.O. has filed Sur-Rejoinder	r on
	behalf of the Respondent Nos.1 and 2. It is taken on reco	rd.
	3. Since pleading is complete, the O.A. be kept for	final
	hearing.	
	4. S.O. to 29.03.2023.	
	() Sd/-	
	(A.P. Kurhekar) Member(J)	
	vsm	

(A.P. Kurhekar)

Member(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	O.A.No. 694, 809, 811/2019 with O.A. 854 to 858/2019 with O.A.552 & 553 of 2021
	G. B. Shinde & OrsApplicants
	Versus
	The State of Maharashtra & OrsRespondents.
	1. The Applicant and his Counsel are absent. Shri V. V. Joshi, learned Counsel for the Applicant has sent leave note. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.
	2. In view of leave note of learned Counsel for the Applicant, the matter is adjourned to 28.04.2023.
	3. S.O. to 28.4.2023.
	Sd/-
	(A.P. Kurhekar) Member(J)
	vsm

[*P.T.O.*]

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20 DISTRICT Original Application No. Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders O.A.242 of 2023 Smt. P.R. Kale ... Applicant Vs. ... Respondents The State of Mah. & ors. Shri U.V. Bhosle, learned Advocate for the 1. Applicant and Smt. A.B. Kololgi, learned Presenting Officer for the Respondents is present. 2. The Applicant stands voluntarily retired w.e.f.13.04.2022, but till date she was not paid the retiral benefits. Therefore, she filed this O.A. for getting retiral benefits with interest. 3. The learned P.O. on instructions submits that due to paucity of staff, the pension papers were not processed and now it is being processed. She wants to file short Affidavit-in-reply. Two weeks' time is granted. 4. S.O. to 17th March, 2023. V Sd/-(A.P. Kurhekar) Member-J 03.03.2023 (skw)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT (Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders O.A.1036 of 2019 Mr. S.M. Mirkale ... Applicant Vs. The State of Mah. & ors. ... Respondents Shri A.V. Sakolkar, learned Advocate for the 1. Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. 2. In O.A, the Applicant has challenged the order dated 17.09.2019 passed by Respondent No.2 only to the extent of his posting on promotion. On promotion, he has been posted at Nagpur. The learned Advocate for the Applicant submits that Applicant was entitled to exemption from the operation of **Pailway** Division Allotment for Appointment by Nomination and Promotion Rules, 2017. He further submits that Applicant is now retiring at the end of August, 2023 and intends to make representation to Respondent No.3 Commissioner, State Excise, Mumbai for his transfer in Konkan Division, since posts are vacant. He. therefore, submits that O.A. be disposed of with

> 3. In view of above, O.A. is disposed of with liberty to the Applicant to make representation afresh within a week and if any such representation is made, the Respondent No.3 shall decide the same within three weeks thereafter from the receipt of representation and decision be communicated to the Applicant.

> suitable direction with liberty to the Applicant to

make representation afresh within a week.

4. O.A. is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar) Member-J 03.03.2023

(skw)

[*P.T.O.*

[*P.T.O*.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 03.03.2023 O.A.No. 1188 of 2022
	Applicant
	P. N. Wayal
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri Vishal Golambade holding for Shri H. M. Inamdar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.
	2. Today, learned Counsel for the Applicant has tendered order dated 18.01.2023 issued by Respondent No.2 whereby he cancelled the order of deputation dated 10.11.2022 which was subject matter of this O.A. The Applicant's services are repatriated to his original
	 department. 3. Learned Counsel for the Applicant submits that O.A. be disposed of since the grievance is redressed. 4. In view of above, the O.A. is disposed of with no order as to costs since grievance of the Applicant is redressed and
	no more survives.
	(A.P. Kurhekar) Member(J)
	vsm

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

Date : 03.03.2023

O.A.No.257 of 2023

Dr. R. A. Indurkar

....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 and 2 and Smt. Kavita Solunke, learned Counsel for the Respondent No.3

The Applicant has challenged the order dated 08.02.2023 issued by the Respondent No.3, M.M.R.D.A. whereby she has been repatriated to her parent department i.e. Revenue & Forest Department for resuming duties in view of completion of period of 5 yeas deputation with M.M.R.D.A.
 Admittedly, the Applicant has completed deputation period with Respondent No.3. It is because of this reason, she has been relieved by Respondent No.3 by order dated 08.02.2023.

4. When the matter is taken up for hearing and for consideration of interim relief, the query was raised to learned Counsel for the Applicant as to how the Applicant can ask for continuation of deputation when the period of deputation is over much earlier.

5. Learned Counsel for the Applicant in the morning session sought time to take instructions from the Applicant. In the afternoon session, on instruction from her, learned Counsel sought permission to withdraw the O.A. The Applicant is also present in the Tribunal.

6. In view of above, the Applicant is allowed to withdraw the O.A.

7. The Respondent No.1 is directed to pass appropriate order of posting to the Applicant within a week so that she should not remain out of duty and her services are utilized.

8, No order as to costs.

Sd/-

(A.P. Kurhekar) Member(J)

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	O.A.No.390 of 2022
	M. K. Waghela & OrsApplicants
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri Nikhil Dixit, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
	2. Learned Counsel or the Applicant submits that M.A. is
	under preparation and same will be filed during the course of
	the day.
	3. M.A. be listed along with O.A.
	4. S.O. to 20.03.2023.
	Sd/-
	(A.P. Kurhekar) Member(J)
	vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date : 03.03.2023		
· · · ·	O.A.No. 122 of 2023		
	C. S. SangamathApplicant		
	Versus		
	The State of Maharashtra & OrsRespondents.		
	1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.		
	2. Today, learned P.O. has filed Affidavit in Reply on		
	behalf of Respondent No.1. It is taken on record. No separate		
	reply is filed on behalf of Respondent No.2.		
	3. On request of learned Counsel for the Applicant, two		
	weeks time is granted to file Rejoinder.		
	4. S.O. to 20.03.2023.		
	\\ Sd/-		
	(A.P. Kurhekar) Member(J)		
	vsm		

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

of 20

I N

Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 03.03.2023 M. A. No.20 of 2019 in O.A.No.54 of 2019
	G. A TilekarApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. The Applicant and his Counsel are absent. Shri V. V.Joshi, learned Counsel for the Applicant has sent leave note. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.
	2. In the interest of justice, the matter is adjourned for hearing with specific direction that no further time will be granted.
	3. S.O. to 31.03.2023.
	N Sd/-
	(A.P. Kurhekar) Member(J)
	vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No.

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directions and Registrar's orders	· · · · · · · · · · · · · · · · · · ·	orders	
	Date : 03.03.2023 O.A.No.940 of 2021		
	S. D. Savane	Applicant	
	Versus		
	The State of Maharashtra	& OrsRespondents.	
		il Savane, learned Counsel for the nougule, learned Presenting Officer I for the Applicant sought	
	adjournment on the groun	d that today for the first time he is	
	filing Vakalatnama in the m	hatter.	
	3. The matter is adjout	urned for final hearing.	
	4. S.O. to 30.03.2023.		
		۲ Sd/-	
		(A.P. Kurhekar) Member(J)	
	vsm		

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT (Advocate) *versus* The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

O.A.742 of 2020

Mr. S.K. Darekar & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents

1. Smt. P. Mahajan, learned Advocate for the Applicant has sent Leave Note. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.

2. In view of Leave Note, matter is adjourned to 28th April, 2023.

P _____ 2 Sd/-

(A.P. Kurhekar) Member-J 03.03.2023

(skw)

[*P.T.O*.

[*P.T.O.*

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

DISTRICT of 20 Original Application No. Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders O.A.413 of 2021 Shri A.S. Nathaniel & Ors. ... Applicants Vs. The State of Mah. & ors. ... Respondents Shri M.D. Lonkar, learned Advocate for the 1. Applicants and Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present. On the request of learned Advocate for the 2. Applicant, two weeks' time is granted, since he wants to collect certain information sought under RTI. 3. S.O. to 21st March, 2023. Λ Sd/-(A.P. Kurhekar) Member-J 03.03.2023 (skw)

(G.C.P.) J 2959 (A) (50,000-3-2017)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

DISTRICT of 20 Original Application No. Applicant/s (Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

O.A.916 of 2021

... Applicant Smt. A.S. Taware Vs. The State of Mah. & ors.

... Respondents

Applicant and Advocate absent. Shri A.J. 1. Officer for Chougule, learned Presenting Respondents.

The perusal of record reveals that Applicant is 2. relying on the decision rendered by this Tribunal in O.A.1105/2016, which is challenged in Writ Petition No.1231/2022 and order passed by this Tribunal is stayed. It is for this reason, learned Advocate for the Applicant on previous date requested to adjourn the matter till the decision of Writ Petition. Writ Petition is still subjudice.

Hearing of this O.A, is therefore, adjourned to 3. 3rd April, 2023. 1-

Sd/-

(A.P. Kurhekar) Member-J 03.03.2023

(skw)

(G.C.P.) J 2959 (A) (50,000-3-2017)

DISTRICT

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

of 20

Original Application No. Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders O.A.1212 of 2022 Dr. S.F. Deshmukh ... Applicant Vs. The State of Mah. & ors. ... Respondents Shri K.R. Jagdale, learned Advocate for the 1. Applicant has sent Leave Note. Shri A.J. Chougule, learned Presenting Officer for Respondents 1 & 2 and Smt. Purva Pradhan holding for Shri D.B. Khaire, learned Advocate for Respondent No.3 is present. Today, learned P.O. sought permission to file 2. Affidavit-in-reply on behalf of Respondent Nos.1 and 2, since matter is proceeded without reply on 09.02.2023. In the interest of justice, allowed to file the 3. same. It be taken on record. 4. S.O. to 31st March, 2023. . Jet Sd/-(A.P. Kurhekar) Member-J 03.03.2023 (skw) [*P.T.O.*]

(G.C.P.) J 2959 (A) (50,000–3-2017)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

	MU	MBAI				
Original Application No.	of 20			DISTRICT	Appli	cant/s
(Advocate)				
	;	versus				
Т	he State of M	aharashtra a	and others			
					Respon	dent/s
(Presenting Officer)			
Office Notes, Office Memoranda o Appearance, Tribunal's order directions and Registrar's or	rs or		Tribuna	al's orders		
				0.A.11	71 of 2022	· · ·
		Shri S.J. 7 Vs		•	Apj	olicant
	-	The State		s ors.	Res	pondents
					te absent. icer for Resp	
		2. In th 2023 to giv			, adjourned (hearing.	o 3 rd April.
					Sd/-	
					₩ (A.P. Kurhe Member- 03.03.202	J
		(skw)			00.00.202	
		(only)				
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[*P.T.O*.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT (Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

<u>O.A.56 of 2022</u>

Shri V.S. Vanjari Vs. The State of Mah. & ors.

... Applicant ... Respondents

1. Applicant and Advocate absent. Smt. S.P. Manchekar, learned Chief Presenting Officer for Respondents.

In the interest of justice, adjourned to 05th April,
 2023 to give an opportunity of hearing.

∽ Sd/-

(A.P. Kurhekar) Member-J 03.03.2023

(skw)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date : 03.03.2023	
	O.A.No.186 of 2023	
	E. M. NawaleApplicant Versus	
	The State of Maharashtra & OrsRespondents.	
	1. Heard Smt. Pooja Mankoji holding for Shri S. S. Dere	
	learned Counsel for the Applicant and Shri A. J. Chougul	
	learned Presenting Officer for the Respondents.	
	2. The Applicant has filed this O.A. for direction t	
	Respondent No.4 for reimbursement of medical expenditur	
	of Rs.22,71,553/ The Applicant was on deputation with	
	Respondent No.4 and during that period undergone medic	
	treatment. His parent department has forwarded h	
	proposal of reimbursement to Respondent No.4 of	
	10.08.2022 but it was not responded and, therefor	
	ultimately the Applicant has filed the present O.A.	
	3. The Condition No.14 of appendix 2 of Maharashti	
	Civil Services (Joining Time, Foreign Service and Paymen	
	during Suspension, Dismissal and Removal), Rules, 198	
	provides that the Government servant shall be entitled t	
	medical facilities not inferior to those admissible under th	
	Maharashtra Civil Services (Medical Attendance) Rules, 196	
	and the cost of that account shall be borne by the foreig	
	employer. As such, it is for borrowing department t	
	reimburse the medical expenditure in accordance to rule	
	and Applicant's entitlement.	
	4. The Applicant took treatment in 2017 but till date th	
	ssue of medical reimbursement is not resolved for no fau	
	on the part of Applicant. There is inordinate and huge dela	
	on the part of Respondent No.4 to process medica	
	eimbursement expenditure borne by the Applicant.	
	5. In view of above, the O.A. is disposed of wit	
	direction to Respondent No.4 to take necessary steps on the	
	proposal dated 10.08.2022 sent by the Divisiona	
	Commissioner to him for claim of medical reimbursement o	
	the Applicant within four weeks from today and the decisio	
	be communicated to the Applicant.	

No order as to costs.

6

vsm

____ Sd/-

(A.P. Kurhekar) Member(J)

2

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orde	rs
	Date : 03.03.2023 O.A.No.21	7 of 2023
	B. M. Belbandare	Applicant
	Versus	
	The State of Maharashtra & Or	sRespondents.
	 Heard Shri R. B. Vijayn Applicant and Shri A. J. Choug for the Respondents. 	nane, learned Counsel for the ule, learned Presenting Officer
		ly challenging the punishment prayed to quash and set aside
	entire proceeding of D.E. as see	en from Prayer Clause 14(c).
		I Counsel for the Applicant
	h specifically stated that he is a	so pressing for relief to quash
	and set aside the entire D.E. pr	
	3. In view of above, the	subject matter of challenge to
	D.E. pertains to Division Bench	
		refore, directed to place the
	matter before Division Bench.	
		∖ Sd/-
		(A.P. Kurhekar) Member(J)
	vsm	

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's	orders
	Date : 03.03.2023	o.58 of 2023
		Applicant
	A. D. More	
	Versus	
	The State of Maharashtra 8	e OrsRespondents.
		dhan holding for Shri D. B. Khaire, oplicant and Smt. Kranti Gaikwad, or the Respondents.
	2. On request of lea	arned P.O., two weeks' time is
	granted to file reply.	
	3. S.O. to 17.03.2023.	
		Sd/-
		(A.P. Kurhekar) Member(J)
	vsm	

|Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	M. A. No.41 of 2023 in M.A.No.42 of 2023 in O.A.No.84 of 2023
	S. E. Gangtire & OrsApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	 The Applicant and his Advocate are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.
	2. On request of learned P.O., two weeks' time is granted to file reply to M.A.
	3. S.O. to 17.03.2023.
	Sd/-
	(A.P. Kurhekar) Member(J) vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023 O.A.No.1136 of 2022 With O.A.No.1137 of 2022
	Dr. A. A . Upadhyay Dr. P A. MeshramApplicants
	Versus The State of Maharashtra & OrsRespondents.
	1. Heard Shri V. P. Potbhare, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondents and Smt Anjali Kolapkar holding for Shri A. S. Gaikwad, learned Counsel for Respondent Nos. 4 and 5.
	2. On request of learned P.O., two weeks' time is
	granted to file reply as a last chance.
	3. S.O. to 17.03.2023.
	Sd/-
	(A.P. Kurhekar) Member(J) vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

of 20

I N

Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	O.A.No.65 of 2023
	I. J. AswarApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. The Applicant in person present and her Counsel has sent leave note. Heard Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Shri A. B. Moon, learned Counsel for the Respondent No.2.
	2. Affidavit in Reply of Respondent No.2 has already filed.
	3. On request of learned P.O., two weeks' time is granted for filing reply as a last chance.
	4. S.O. to 17.03.2023.
	۲ Sd/-
	v (A.P. Kurhekar) Member(J) vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI .

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

of 20

I N

of 20 Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribu	nal's orders	
	Date: 03.03.2023		_
	с	D.A.No.137 of 2023	
	S. T. Ghusar	Applicant	
	Versus		
	The State of Maharas	htra & OrsRespondents.	
		dale, learned Counsel for the Ap Smt. Archana B. K., learned Pres ndents is present.	
	 On request of granted for filing reply 	of learned P.O., two weeks' t y.	ime is
	3. S.O. to 20.03.2	2023. (\ Sd/-	
		(A.P. Kurhekar) Member(J)	
	vsm		

[*P.T.O.*

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

of 20 Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023 O.A.No.232 of 2023 N G. KabadiApplicant Versus The State of Maharashtra & OrsRespondents.
	 Heard the Applicant in person and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. The Applicant stands retired on 28.02.2022 and has not received all the retirement benefits and, therefore, filed
	 this O.A. 3. Learned P.O. on instructions submits that the criminal case is still pending against the Applicant and, therefore,
	gratuity cannot be paid. She further submits that initially the provisional pension for six months was paid and now steps are being taken to release the provisional pension regularly. According to her, GIS and GPF is already paid which the
	 According to her, ons and orr is already paid which the Applicant admits. As regard leave encashment, she submits that it is in process and will be released soon. 4. Learned P.O. is directed to file short Affidavit so that
	O.A. could be disposed of. 5. S.O. to 14.03.2023. Sd/-
	(A.P. Kurhekar) Member(J) vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

of 20

I N

Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 03.03.2023 O.A.No. 222 of 2023
	S. S. KumbharApplicant
	Versus
	The State of Maharashtra & OrsRespondents.
	1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
	 2. In this O.A., the Applicant who was Police Patil of village Basalegaon, Tal. Akkalkot, Dist. Solaur has challenged the suspension order dated 22.04.2022 issued by the Respondent No.3-Sub Divisional Officer, Solaupr. 3. However, when the matter is taken up for hearing, learned Counsel for the Applicant has tendered copy of order dated 17.02.2023 whereby Respondent No.3 reinstated the Applicant on the post of Police Patil. Though the O.A. is filed on 22.02.2023, according to him, the copy of order dated 17.02.2023 is served upon his client yesterday. He, therefore, sought permission to withdraw the O.A. 4. In view of above, allowed to withdraw the O.A. 5. Original Application is disposed of as withdrawn with no order as to costs.
	(A.P. Kurhekar) Vsm
	[<i>P.T.O.</i>

(G.C.P.) J 2959 (A) (50,000—3-2017)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

DISTRICT of 20 Original Application No. Applicant/s (Advocate) versus The State of Maharashtra and others Respondent/s (Presenting Officer.....) Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders O.A.951 of 2021 ... Applicant Mr. S.Y. Pawar Vs. ... Respondents The State of Mah. & ors. Smt. K.S. Applicant in person present. 1. Officer for the Gaikwad, learned Presenting Respondents is present. O.A. be kept for final hearing $\stackrel{()}{\nleftrightarrow}_{i}^{i}$ 15th March, 2. 2023. Sd/-(A.P. Kurhekar) Member-J 03.03.2023 (skw)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	O.A.1037of 2019 with O.As.1039 to 1042/2019 with O.A.Nos.1237 to 1241/2019.
	Dr. G.B. Taware & Ors Applicants Vs.
	The State of Mah. & ors Respondents
	1. Smt. P. Mahajan, learned Advocate for the Applicant has sent Leave Note. Shri K.B. Bhise, learned Advocate appearing in another set of O.As is absent. Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present.
	2. Last time, the matter was adjourned in view of pendency of Writ Petition No.230/2019. Since issue involved in these O.As seems to be identical to the issue now subjudice before Hon'ble High Court. Writ Petition No.230/2019 is still subjudice.
	3. In view of above, O.A. is adjourned to 30 th March, 2023. Interim relief to continue till next date.
	N Sd/-
	(A.P. Kurhekar) Member-J 03.03.2023
	(skw)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of	20	DISTRICT	Applicant/s
(Advocate)		
	versus		
The State of	of Maharashtra	and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
		0.A.461 of 2020	
		, Ambilwade Vs.	Applicant
		vs. te of Mah. & ors.	Respondents
	Manche Respond	lents is present.	resenting Officer for the
	2. Th ground	e Applicant sought that his Advocate Shr	adjournment on the i S.S. Dere is unwell.
	3. S.	O. to 24 th March, 2023	
			Sd/-
			(A.P. Kurhekar) Member-J 03.03.2023
	(skw)		
· · · ·			

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

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DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

[*P.T.O.*

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	O.A.235 of 2022
	Mr. R.P. Patil & Ors Applicants Vs.
	The State of Mah. & ors Respondents
	1. Shri M.V. Thorat, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.
	2. When the matter was being heard, the learned Advocate for the Applicants had tendered a copy of Advertisement/Notification No.986(10)/5866-50/X in which there is specific reference that the posts of Advertisement are permanent and pensionable. Whereas in O.A, Applicants have filed Advertisement (Page No.29 of P.B.) which does not have any such Clause that the post is permanent and pensionable.
	3. Learned Advocate for the Applicants submits that Applicant visited the MPSC Office at the time of initia' recruitment, that time itself they were given the copy of Notification No. 986(10)/5866-50/X and it is ir pursuance of it, the Applicants made an application for the post of Assistant Public Prosecutor. The Notification is in English. Whereas Advertisement filed in O.A. (Page No.29) is in Marathi. Apart, there is no mention that the posts are permanent and pensionable.
	4. The learned Advocate for the Applicant, therefore, filed Additional Affidavit and he wants to rely upon the Notification No. 986(10)/5866-50/X, which is in English.
	5. Notably, MPSC is not party Respondents to this O.A. The issue is as to which is the correct and authentic Advertisement of the posts. Therefore, MPSC is necessary party and needs to be joined as Respondent No.4.
	· ·

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	6. The learned Advocate for the Applicant is allowed to add MPSC through Secretary as Respondent No.4 and amendment be carried out forthwith.
	7. The learned P.O. shall file counter Affidavit, if necessary, on behalf of newly added Respondent No G – MPSC.
	8. S.O. to 14 th March, 2023.
	Sd/-
	(A.P. Kurhekar) Member-J 03.03.2023
	(skw)
	0.4

|Spl.- MAT-F-2 E.

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. TRT PRITTY RALATEA . .

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IN THE MAHAKASHTRA	MUMBAI	CATIVE TRIBUNAL
Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate)	
	versus	
The Stat	e of Maharashtra ar	nd others
		Respondent/s
(Presenting Officer		.)
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders
	Date : 03.03	.2023
		O.A.No.973/2022
	Dr. N.S. Boha	1 1
	The State of I	Vs. Maharashtra & Ors. Respondents.
	1. Heard	Ms. K.S. Gaikwad, learned Presenting
	Officer for the	e Respondents and Ms. Purva Pradhan,
	learned Adv	ocate holding for Mr. D.B. Khaire,
		ocate for the Respondent No.3. Ms.
	Punam Maha note.	ajan, learned Advocate has filed leave
	2. Reply	is already filed.

3. Admit. Adjourned to 17.03.2023. HOB.

Sd/-

prk

-Sd/-

/ (Mridula Bhatkar, J.) Chairperson (Medha^dGadgil) Member (A)

Spl.- MAT-F-2 E.

..... Applicant/s

DISTRICT

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

of 20

Original Application No.

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	O.A.No.1080/2022
	S.S. MoreApplicant Vs.
	The State of Maharashtra & OrsRespondents.
	1. None for the Applicant. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents
	2. By way of last chance adjourned to 24.03.2023.
	Sd/-
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson
	[P.T.O.

Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	O.A.No.1016/2022
	S.V. Burse & OrsApplicants Vs.
	The State of Maharashtra & OrsRespondents.
	1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents
	2. Learned C.P.O. has submitted that reply is filed in all the O.As.
	3. At the request of learned C.P.O. adjourned to 24.03.2023.
	Sd/- Sd/-
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson
	prk
	[<i>P.T.O.</i>

Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Original Application No.	of 20	DISTRICT
		Applicant/s
(Advocate)	
	vers	e <i>tu</i> e
The St		rashtra and others
	ate of Mana	
		Respondent/s
(Presenting Officer	••••••)
Office Notes, Office Memoranda of Coran Appearance, Tribunal's orders or directions and Registrar's orders	1,	Tribunal's orders
	Da	ite : 03.03.2023
		O.A.No.1105/2022 with O.A.No.1106/2022
	A.V	V. Gadge & OrsApplicants
	Th	Vs. he State of Maharashtra & OrsRespondents.
	1.	None for the Applicant. Heard Ms. S.P.
		anchekar, learned Chief Presenting Officer for the
	Re	espondents
	2.	
	an	ny, to be continued till next date.
		Sd/- Sd/-
		(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson
	prk	ς Σ

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 03.03.2023
	O.A.No.807/2022
	M.S. ShelarApplicant Vs.
	The State of Maharashtra & OrsRespondents.
	1. Heard Mr. Gaurav A. Bandiwadekar, learned
	Advocate for the Applicant and Ms. S.P. Manchekar,
	learned Chief Presenting Officer for the
	Respondents.
	2. Admit. With liberty to file rejoinder,
	adjourned to 13.04.2023.
	• · · · · · · · · · · · · · · · · · · ·
	Sd/- Sd/-
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson
	prk
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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribuna	l's orders		
		<u>O.A. N</u>	<u>Io.773 of 2019</u>		
	Chan	drakant M. Rupanwa	r	Applica	nt
	The S	Vs. State of Maharashtra &	& Ors.	Respond	lents
	**	Heard Shri R.M. cant and Ms. S.P. Ma er for the Respondent	anchekar, learn		
	2. passii	For the reasons to ng the following orde		separately v	we are
	by 7	OA is dismissed. lete the Departmenta .6.2023 including i plinary Authority.	l Enquiry with	in three mon	ths i.e.
	Office 22.3.2 applie to co	The delinquent issions or before 10 er is directed to s 2023. Copy of the r cant on or before 25.3 mplete all the forma e 6.6.2023.	0.3.2023. The submit his re- report is to be 3.2023. The d	reafter the E port on or handed over isciplinary au	inquiry before to the thority
	(iii)	No order as to cost	s.		
		Sd/-	•1 Sd/	/- Z	
	(sgj)	(Medha Gadgil) Member (A) 3.3.2023	(Mridula B Chairp 3.3.2	person	

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
•	Date : 03.03.2023
	O.A.No.834/2022 with O.A.No.878/2022
	Dr. V.N. Waghmare & OrsApplicants
	Vs. The State of Maharashtra & OrsRespondents.
	1. Heard Mr. Karan Gojra, learned Advocate holding for Mr. A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents
	2. Learned Advocate has submitted that Applicants in O.A.No.834/2022 Dr. Waghmare Vikrant Nandkishor and Dr. Siddharth Gorakhanath Kamble alias Dr. Siddharth Gorakhanath Sawardekar have applied for the post of Assistant Professor in Forensic Medicine Department and Applicant in O.A.No.878/2022 and Dr. Rupali Rajput Rajendrasing has applied for the post of Preventive and Social Medicine / Community Medicine as per advertisement No.57/2021 dated 13.08.2021.
	3. Learned C.P.O. on instructions from Mr. V.N. Mali, Assistant Section Officer, M.P.S.C. informs that the Applicants in O.A.No.834/2022 have appeared for the interview at various places whereas Applicant in O.A.No.878/2022 has appeared for the interview at only one place. However, they all have cleared the interview and secured more than cut-off marks in one or two places.
	4. M.P.S.C. is directed to verify the same. In view of this fact that they have secured more than cut-off marks and we have held that they do possess the requisite work experience of one year as Senior Resident, we direct the M.P.S.C. to consider all the three Applicants for their respective posts and if found eligible, they are to be recommended. Further we direct that the Applicants are to be recommended as per other placement in the entire merit list. M.P.S.C. is directed to complete this exercise within two weeks from the date of this order.
	5. With above directions, O.As stands disposed of.
	Sd/- Sd/-
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson
	prk

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
•	Date : 03.03.2023
	O.A.No.834/2022 with O.A.No.878/2022
	Dr. V.N. Waghmare & OrsApplicants Vs.
	The State of Maharashtra & OrsRespondents.
	1. Heard Mr. Karan Gojra, learned Advocate holding for Mr. A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents
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	5. With above directions, O.As stands disposed of.
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson

Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribuna	al's orders	
		<u>O.A. N</u>	0.1043 of 2021	
	A.S. J	Jaiswal Vs.		Applicant
	The S	state of Maharashtra	& Ors.	Respondents
		Heard Shri M.D. cant and Ms. S.P. Ma er for the Respondent	anchekar, learned	
		Ld. CPO submits t of Hon'ble Deputy use of the applicant is	Chief Minister to	day morning and
	3.	Ld. CPO prays for	two weeks time.	
	4.	S.O. to 17.3.2023.		·
		Sd/-	Sd/-	7
	(sgj)	(Medha Gadgil) Member (A) 3.3.2023	(Mridula Bha Chairper 3.3.202	son
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 18.01.2023 the Applicant has so which was granted and today he is amended copy to the office of P.O. P.O. seeks time to get instructions O.A. 4. Learned Advocate has su applicant was appointed as Works the year 1990 and thereafter promote Craft Instructor in the year 1993 by the Department are of the year relied on the judgments of Hon'b Wait - D this Washed States 	Tribunal's orders			
 P.P. Dahiwade Vs. The State of Maharashtra & Ors. Heard Mr. A.S. Nandimath for the Applicant and Ms. K.S. Presenting Officer for the Respond Applicant, working as C seeking promotion to the post of During the pendency of the O.A. rejected the case of the Applicant that his earlier posting as Craft In per Recruitment Rules of 1983. Learned P.O. has sub 18.01.2023 the Applicant has so which was granted and today he amended copy to the office of P.O. P.O. seeks time to get instructions O.A. Learned Advocate has su applicant was appointed as Works the year 1990 and thereafter promot Craft Instructor in the year 1993 by the Department are of the year relied on the judgments of Hon'b Writ PetitionNo.2260/2018. T Maharashtra & Vasant A. Baled and O.A.No.335/2013 dated 29.07. Learned P.O. has submitted 1983 applicant does not have the e post of Craft Instructor. Learned P.O. is granted instructions on the amended O.A. specify about the nature of disquat applicant for the promotion. Under such circumstances, i are given they will be subject to outer 				
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 for the Applicant and Ms. K.S. Presenting Officer for the Respond 2. Applicant, working as C seeking promotion to the post of During the pendency of the O.A rejected the case of the Applicant this earlier posting as Craft II per Recruitment Rules of 1983. 3. Learned P.O. has sub 18.01.2023 the Applicant has so which was granted and today he i amended copy to the office of P.O. P.O. seeks time to get instructions O.A. 4. Learned Advocate has su applicant was appointed as Workin the year 1990 and thereafter promuce Craft Instructor in the year 1990 and thereafter promuce Craft Instructor in the year 1993 by the Department are of the year relied on the judgments of Hon'b Writ PetitionNo.2260/2018, T Maharashtra & Vasant A. Balel d and O.A.No.335/2013 dated 29.07. 5. Learned P.O. has submitted 1983 applicant does not have the e post of Craft Instructor. 6. Learned P.O. is granted instructions on the amended O.A. In specify about the nature of disqua applicant for the promotion. 7. Under such circumstances, i are given they will be subject to outcome. 	Respondents.			
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 18.01.2023 the Applicant has solution of the second seco	Group Instructo . Department hant on the groun			
 applicant was appointed in a substrate in	has furnished th Hence, learned			
 1983 applicant does not have the epost of Craft Instructor. 6. Learned P.O. is granted instructions on the amended O.A. I specify about the nature of disqua applicant for the promotion. 7. Under such circumstances, i are given they will be subject to outcome. 	shop Assistant in oted to the post o and Rules relied 1983. He furthen le High Court in The State of lated 26.06.2018			
 Instructions on the amended O.A. I specify about the nature of disqua applicant for the promotion. 7. Under such circumstances, i are given they will be subject to outcome. 	that as per Rule xperience for the			
are given they will be subject to outc	It is necessary to			
8. Adjourned to 24.03.2023.	f the promotions ome of the O.A.			
Sd/-	Sd/-			
(Medha Gadgil) (Mridu Member (A) Ch	la Bhatkar, J.) airperson			

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[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

of 20

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	<u>C.A. No.12 of 2023 in O.A. No.402 of 2022</u>		
	B.R. GhadgeApplicant Vs.		
	The State of Maharashtra & OrsRespondents		
	Heard Applicant in person and Smt. Archana B.K., learned Presenting Officer for the Respondents.		
	2. Ld. PO files affidavit in reply dated 2.3.2023 of Nitin R. Dhonge, Deputy Assistant (DE) to the DGP, Mumbai on behalf of respondent no.2.		
	3. It is informed by Ld. PO that Commissioner of Police, Thane, who is the competent authority, has decided the representation dated 19.7.2022 of the applicant for regularization of suspension period as directed by this Tribunal by order dated 25.11.2022 and have taken decision by their order dated 9.1.2023 that suspension period of the applicant cannot be regularized until the court cases against the crime are decided.		
	4. Hence, the order dated 25.11.2022 of this Tribunal is complied with. Now, nothing survives in this CA and the same is disposed off.		
	Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.3,2023 3.3,2023 (sgj)		

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents 2. In view of the fact that file is pending in the office of the Hon'ble the Deputy Chief Minister since 13.01.2023 we direct the concerned Principal Secretary to bring the matter to the notice of	ffice Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's	s orders
A.S. JaiswalApplicant Vs. The State of Maharashtra & OrsRespondents. 1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents 2. In view of the fact that file is pending in the office of the Hon'ble the Deputy Chief Minister since 13.01.2023 we direct the concerned Principal Secretary to bring the matter to the notice of Secretary to the Hon'ble the Deputy Chief Minister personally. 3. Adjourned to 17.03.2023. Sd/- Sd/- (Medha Gadgfi) / (Mridula Bhatkar, J.)		Date	: 03.03.2023	
Vs. The State of Maharashtra & OrsRespondents. 1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents 2. In view of the fact that file is pending in the office of the Hon'ble the Deputy Chief Minister since 13.01.2023 we direct the concerned Principal Secretary to bring the matter to the notice of Secretary to the Hon'ble the Deputy Chief Minister personally. 3. Adjourned to 17.03.2023. Sd/- (Medha Gadgfl) / (Mridula Bhatkar, J.) Member (A) / (Mridula Bhatkar, J.)			O.A.No.	1043/2021
 Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents In view of the fact that file is pending in the office of the Hon'ble the Deputy Chief Minister since 13.01.2023 we direct the concerned Principal Secretary to bring the matter to the notice of Secretary to the Hon'ble the Deputy Chief Minister personally. Adjourned to 17.03.2023. Sd/- Sd/- (Medha Gadgfi) / (Mridula Bhatkar, J.) Member (A) 			Vs.	
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Sd/- Sd/- (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson		office 13.0 Secre Secre	of the Hon'ble the l 1.2023 we direct etary to bring the etary to the Hon'ble	Deputy Chief Minister since the concerned Principal matter to the notice of
(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson		3.	Adjourned to 17.0	03.2023.
Member (A) Chairperson			Sd/-	Sd/-
prk				
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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

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DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal' s	orders
	Date	e : 03.03.2023	
		O.A.No.1	.055/2021
	The S 1. Mano	None for the Ap	Applicants & OrsRespondents. plicants. Heard Ms. S.P. of Presenting Officer for the
	2.	Reply is already fil	led.
	3.	Admit. Adjourned	to 31.03.2023. HOB.
		Sd/-	Sd/-
	prk	(Medha ^{//} Gadgil) Member (A)	/(Mridula Bhatkar, J.) Chairperson
			[P.T.O.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
	<u>O.A. No.219 of 2023</u>			
	S.K. Kute Applicant			
	Vs. The State of Maharashtra & OrsResponden			
	Heard Shri A.A. Devkhile, learned Advocate for Applicant and Ms. S.P. Manchekar, learned Chief Presen Officer for the Respondents.			
	2. The office objections, if any, are to be removed court fees to be paid, if not already paid.			
	3. Issue notice before admission returnable 31.3.2023. The respondents are directed to file reply.			
	4. Applicant is authorized and directed to serve Respondents intimation/notice of date of hearing of authenticated by Registry, along with complete paper b of O.A. Private service is allowed. Respondents are pu notice that the case may be taken up for final disposal at stage of admission hearing.			
	5. This intimation/notice is ordered under Rule 11 the Maharashtra Administrative Tribunal (Procedure) Ru 1988, and the questions such as limitation and altern remedy are kept open.			
	6. By Hand delivery, speed post, courier notice to served and acknowledgement be obtained and produce along with affidavit of compliance in the Registry within week. Applicant is directed to file Affidavit of compliance and notice.			
	7. In case notice is not collected within seven days service report on affidavit is not filed three days bet returnable date, the OA shall be placed on board before concerned Bench under the caption "For Dismissal" thereafter on the subsequent date the OA shall st dismissed.			
	Sd/- Sd/-			
	(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 3.3.2023 3.3.2023			
	(sgj)			

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders				
	<u>MA.33 of 2023 & MA.708/2022 in O.A. No.1222 of 2022</u> <u>With</u> <u>M.A. No.34 of 2023 in O.A. No.1126 of 2022</u>				
	K.K. Gaikwad & Ors. K.D. Vishe & Ors. Vs. The State of Maharashtra & Ors. Respondents				
	Heard Shri A.G. Ambetkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.				
	2. Ld. CPO submits that copy of MA No.708 of 2022 is not served in the office of CPO. Ld. CPO submits that she is filing reply in OA No.1222 of 2022.				
	3. S.O. to 24.3.2023. Sd/- Sd/-				
	(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 3.3.2023 3.3.2023				

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders			
		<u>M.A. No.51 of 202</u>	3 in O.A. No.1276 of 2022	
	J.R. I	Deshmukh	Applicant	
	The S	Vs. State of Maharashtra &	& OrsRespondents	
		er for the Responde	anchekar, learned Chief Presenting ents No.1 & 2 and Shri Sujit S for Respondents No.3 to 7.	
	2. Appli	Shri K.R. Jagda cant has filed leave n	le, learned Advocate for the ote.	
			Respondents No.3 to 7 submits that erved. Applicant to serve the	
	4.	S.O. to 17.3.2023.		
		Sd/-	Sd/-	
		(Medha Gadgil) Member (A) 3.3.2023	(Mridula Bhatkar, J.) Chairperson 3.3.2023	
	(sgj)	5.5.2025	5.5.2025	
	P.			