

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>03.05.2023</u></b></p> <p style="text-align: center;"><b><u>O.A 412/2023 with O.A 420/2023</u></b></p> <p>Shri B.P Patil [O.A 412/2023] Shri D.M Bhamray [O.A 420/2023]... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant Mr Dere submits that the proposal dated 3.4.2023 informing that the departmental enquiry against the applicant Mr Bhamray is to be closed as he was wrongly implicated. Till today, no decision is taken on this. The said proposal was received by the Principal Secretary, Medical Education and Drugs Department on 21.4.2023. Learned counsel Mr Dere informs that the applicant was implicated falsely in this offence by charge sheet dated 13.12.2013. Joint Commissioner, Food and Drugs has given opinion on 27.10.2017 that the case of the applicant is to be reviewed as he has not committed any illegal act. Mr Vivek Sapkal, Section Officer, sent letter to the Commissioner on 9.4.2018 putting question that on what ground Mr Bhamray, the present applicant was charge sheeted when he is not concerned with any offence. Ms Pallavi Darade, Commissioner, Food and Drugs, in reply to the letter dated 9.4.2018 has written letter to the Secretary, Medical Education and Drugs Department on 3.10.2018. The said letter reveals that the incident has occurred in 2009 for distribution of excess quota of Codeine Phosphate which is a narcotic substance. No criminal case under the N.D.P.S Act was registered against the applicant.</p> <p>3. Learned P.O on instructions from Ms Vaishali Sule, Deputy Secretary, Food &amp; Drugs Dept, stated that the competent authority to take decision on this proposal is the Hon'ble Chief Minister. It is informed by the Respondent-State that the said proposal is not yet been placed before the Hon'ble Chief Minister. Ms Vaishali Sule, Deputy Secretary, Food and Drugs Department submits that the proposal is to be rooted and sent by Desk-Drugs-I, Mr Ganvat, Desk Officer, Food and Drugs.</p> <p>4. Mrs Smita Joshi, Desk Officer, G.A.D, Desk-13 is present and she informs that for scrutiny of the names of the officers who are in the zone of consideration for promotion will take four weeks' time and thereafter the meeting of the D.P.C will be held.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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5. In view of these submissions, the G.A.D. Respondent no. 3 is directed to carry on the work of scrutiny of names of the officers who are in the zone of consideration for promotion. However, the meeting of the D.P.C should not be held till 12.6.2023. Respondent no. 1, Principal Secretary, Medical Education and Drugs Department is directed to place the proposal dated 3.4.2023 in case of the applicant Mr Bhamray before the Hon'ble Chief Minister or the competent authority till tomorrow.

6. S.O to 12.6.2023.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

kn

03.05.2023

O.A /2021

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No.

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## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<del>O.A. No.1259 of 2022 with O.A. No.659 of 2022</del>
	<p>G.R. Shelar &amp; Anr. Yogesh M. Savale ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents in OA No.1259/2022.</p> <p>Heard Smt. Racheeta Dhuru i/b. Smt. Savita Suryawanshi, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 3, Shri S.B. Deore, learned Advocate for Respondents No.4, 5, 9, 10, 11, 14 &amp; 15 and Shri S.B. Talekar, learned Advocate for Respondents No.8, 10, 12, 17, 22, 25, 28, 29, 31, 34, 35 &amp; 50 in OA No.659/2022</p> <p>2. Shri S.B. Deore, Ld. Advocates for the respondents submit that the respondents are successful candidates. However, selection process has commenced in 2017 and till today interviews are not taken.</p> <p>3. In these matters pleadings are completed. Admit.</p> <p>4. There is no dispute on the point of eligibility of the selected candidates. MPSC is aware of this issue. Hence, MPSC may proceed with the interview of the selected and eligible candidates whose candidature is not disputed.</p> <p>5. Ld. Advocate for the applicant in OA No.659/2022 submits that she limits the prayer that MPSC be directed to prepare list of ineligible and eligible candidates and they are to be published and ineligible candidates are to be deleted.</p> <p>6. Shri S.B. Talekar, Ld. Advocate for private respondents challenges the maintainability of OA No.659/2022 on the ground that applicant has no locus as he has appeared in the written examination and he is not successful as he could not secure the requisite marks and could not reach cut-off and hence could not qualify in the written examination. Therefore he is not qualified for considering him in merit and for interview. He relied on the judgment of Hon'ble Supreme Court in <u>Madras Institute of Development Studies Vs. K. Sivasubramaniyan (2016) 1 SCC 454</u> and <u>Dhananjay Malik Vs. State of Uttaranchal, (2008) 4 SCC 171</u>. Secondly the examination is pertaining to Maharashtra Education Services Rules while the applicant is relying on Maharashtra Development Services Rules. He also relied on <u>order dated</u></p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>10.3.2023 passed by the Hon'ble High Court in W.P. No.14766/2019 in Mukund R. Ghodake &amp; Ors. Vs. State of Maharashtra &amp; Ors.</u></p> <p>7. In the affidavit dated 21.3.2023 of Shri Bharat V. Wankhede it is stated that recruitment is as per Maharashtra Education Services Rules of 2016 and not under the Maharashtra Development Services Rules, 2018.</p> <p>8. Shri S.B. Talekar, Ld. Advocate thirdly submits that applicant can challenge appointment only after appointments are made and not on the basis of recruitment. In 2018 rules there is bar that if one wants to opt for promotion then the candidate will not be considered for selection by other two methods.</p> <p>9. Shri S.B. Deore, Ld. Advocate for private respondents submits that para 10.1 of the notification dated 17.5.2017 are general guidelines. As per this notification the present examination is competitive examination and it is not a qualifying examination for promotion. It is Limited Departmental Competitive Examination (LDCE) and not qualifying examination for promotion. Eligibility is mentioned in para 3 of the notification. Para 3.5 and 3.6 are important clauses.</p> <p>10. It is contended by the Ld. Advocate for the applicant that all the respondents are from Maharashtra Development Services.</p> <p>11. Ld. Advocate for the applicant submits that on account of ineligible candidates the applicant has lost chance of being shortlisted. This argument is based on speculations. How filtering process is to be applied is a matter of procedure and policy decision of MPSC which is constitutional body and in that area the Tribunal will not interfere. Communication from MPSC to Govt. is taken on record.</p> <p>12. Ld. Advocates for the applicants submits that OAs he heard finally. The request is accepted. No interim relief at this stage. S.O. to 8.6.2023.</p> <p>13. MPSC is hereby directed to proceed as per order dated 10.3.2023 passed by the Hon'ble High Court in W.P. No.14766/2019. Needless to say that MPSC will follow the filtering process as per the rules and pendency of OA will not come in way of conducting the interviews. Only for the purpose of scheduling the matter is adjourned to 4.5.2023 at 12.00 noon.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 3.5.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.18 of 2023 in O.A. No.999 of 2022</u></p> <p>A.R. Bhagwat ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Saurav Katkar holding for Shri Shantanu Raktate, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1 &amp; 2 and Shri Om Lonkar, learned Advocate for Respondent No.3.</p> <p>2. Ms. Lalita Shahaji Dahitule, Education Officer Secondary, Thane Zilla Parishad is present in the Court and informs that on 13.4.2023 the applicant contacted the office of respondent. 14 to 16<sup>th</sup> April 2023 were holidays and on 17.4.2023 applicant arrived in the office of respondent and he showed willingness to carry the papers in order to avoid postal delay. So department in good faith handed over the papers to the applicant to be submitted the Treasury. Smt. Lalita S. Dahitule is directed to file affidavit today.</p> <p>3. Ld. Advocate for the applicant denies this. Hence, applicant is directed to file affidavit to that effect.</p> <p>4. Ld. Advocate for respondent no.3 submits that PPO and Gratuity papers are submitted to the Treasury, Ahmednagar.</p> <p>5. S.O. to 4.5.2023.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 3.5.2023</p> <p>(sgj)</p>



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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.82 of 2020

A.N. Agnihotri ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant has filed an application dated 28.4.2023 for speaking to minutes of the order dated 24.4.2023 passed in the above OA. Ld. Advocate for the applicant submits that in para 6(d) of the order the words, 'notional pay fixation from the date of appointment of respondents No.3 & 4' is to be inserted.

3. Ld. CPO submits to the order of the Court.

4. Application for speaking to minutes of the order is allowed. Correction be carried out accordingly.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
3.5.2023

(sgj)

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.42 of 2023 in O.A. No.759 of 2021</u></p> <p>R.N. Gaikwad ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, 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 8.6.2023. 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 C.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the CA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the CA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 3.5.2023</p> <p>(sgj)</p>



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

Tribunal's orders

C.A. No.39 of 2023 in O.A. No.64 of 2022

B.B. Shelake ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 22.6.2023. The respondents are directed to file reply.

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 C.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

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

Sd/-

(Mridula Bhatkar, J.)

Chairperson

3.5.2023

(sgj)

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

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C.A. No.37 of 2023 in O.A. No.911 of 2022

R.K. Patil & Anr. ..Applicants  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO submits that the Hon'ble Minister is on tour all over Maharashtra and so he is not available.

3. S.O. to 8.6.2023.

Sd/-

/ (Mridula Bhatkar, J.)

Chairperson

3.5.2023

(sgj)

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.79 of 2022 in O.A. No.605 of 2022</u></p> <p>Dr. B.T. Karvekar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time for complying the order.</p> <p>3. S.O. to 22.6.2023 by way of last chance for complying the order and if not complied notice of contempt will be issued.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 3.5.2023</p> <p>(sgj)</p>

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.512 of 2023</u></p> <p>Kamlesh S. Binnar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant has filed the above OA for very limited relief of seeking direction to the respondents to decide the statutory appeal dated 3.10.2017 pending before the respondent against the order dated 10.8.2017 rejecting his recommendation by the High Power Committee for appointment to the post of Police Constable, within a period of six weeks and communicate the decision to the applicant and the matter can be disposed off.</p> <p>3. Ld. PO submits to the order of the Court. However, prays that reasonable time of minimum two months be granted.</p> <p>4. In view of the relief prayed and the submissions made the OA is allowed with the following order.</p> <p>5. The respondents are directed to decide statutory appeal of the applicant dated 3.10.2017 pending before on or before 5.7.2023 and communicate the decision to the applicant within one week thereafter. OA disposed off by consent.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 3.5.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.258 of 2020</u></p> <p>C.A. Rane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that advertisement dated 28.2.2019 was issued for the post of Talathi.</p> <p>3. S.O. to 15.6.2023.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 3.5.2023</p> <p>(sgj)</p>


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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.309 of 2023 in O.A. No.1121 of 2022</u></p> <p>Arya V. Pujari ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Kranti L.C., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This MA is filed for early hearing of the above OA in view of order dated 9.12.2022 passed by the Hon'ble High Court in W.P. No.15033 of 2022 (State of Maharashtra &amp; Ors. Vs. Arya Vijay Pujari).</p> <p>3. In view of the above, OA is fixed for hearing on 15.6.2023. MA disposed off accordingly.</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson 3.5.2023</p> <p>(sgj)</p>

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 02.05.2023</p> <p align="center">O. A. No. 1023 of 2022</p> <p>V. R. Gosavi <span style="float: right;">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. Learned P.O. submits that the file is under process for reinstating the Applicant and necessary orders will be issued within a day or two.</p> <p>4. O.A. be kept on 04.0<sup>5</sup>2023 to produce necessary orders of reinstatement.</p> <p>5. S.O. to 04.0<sup>5</sup>2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

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**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: 03.05.2023</p> <p align="center">O.A. No.506 of 2023</p> <p>N.K. Mujawar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged reinstatement order dated 22.09.2022 whereby S.D.O. reinstated the Applicant after revocation of suspension and posted him at Saja, Satandhuni, Tal. AkKalkot, Dist. Solapur.</li> <li>3. The Applicant already joined at Satandhuni in pursuance of reinstatement order dated 22.09.2022.</li> <li>4. Learned Advocate for the Applicant sought interim relief not to fill in the post of Talathi, Akkalkot where the Applicant was initially posted.</li> <li>5. Considering the facts, I am not inclined to grant interim relief since post cannot be kept vacant.</li> <li>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>7. Issue notice before admission returnable on 16.06.2023.</li> </ol>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>12. S.O. to 16.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI**

**ORIGINAL APPLICATION NO.500 of 2023**

**V. D. Suryawanshi )...Applicant**

**Versus**

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

Shri A. V. Bandiwadekar, Counsel for the Applicant

Shri A. J. Chougule, Presenting Officer for the Respondents

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 03.05.2023

**ORDER**

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant has challenged the transfer order dated 27.04.2023 mainly on the ground that he is transferred selectively without considering options showing vindictive approach towards him.

3. The Applicant is serving in the cadre of Assistant Registrar, Cooperation. He was posted at Maval, Dist. Pune. He was transferred by order dated 25.05.2022 from Maval to Magalvedha. It was challenged by him by filing O.A.No.674/2022 in which the Tribunal has granted interim relief since there was no approval of Civil Services Board. By virtue of interim relief, while he was continued at Maval, he was suspended in contemplation of D.E. by order dated 13.10.2022 which he again challenged by filing O.A.No.1054/2022. This Tribunal decided the O.A. by common order dated 16.01.2023. The transfer



order dated 25.05.2022 was quashed and set aside. Apart suspension was also revoked since no D.E. was initiated within 90 days neither ~~his~~ review was taken as mandated by the Hon'ble Supreme Court in **(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.)**. The Tribunal directed to reinstate the Applicant as Assistant Registrar, Maval within two weeks. The Respondents did not comply the order and filed W.P. before the Hon'ble High Court but no interim relief was granted. Thereafter, the Applicant has filed contempt petition. During the pendency of contempt petition, instead of reinstating the Applicant at Maval, the Respondents by order dated 13.04.2023 transferred him to Vaduj Khatav, Dist. Satara which was prima-facie contempt of the order passed by the Tribunal. Therefore, the Government gave directions to the Commissioner, Cooperation to post him at Maval. It is in pursuance of it, the Commissioner, Cooperation by order dated 17.04.2023 finally reposted the Applicant at Maval.

4. However, within ten days, the Commissioner, Cooperation again issued order dated 27.04.2023 thereby transferring the Applicant at Vaduj, Khatav which is again challenged by the Applicant in the present O.A.

5. Learned Counsel for the Applicant has pointed out that though the Applicant is due for transfer from Maval, he could have been transferred in general transfers considering options given by the Applicant in terms of G.R. dated 09.04.2018 but single order of the Applicant is passed vindictively without considering his options. He, therefore, prayed for interim relief.

6. Learned P.O. opposes interim relief stating that Applicant was due for transfer and with the approval of CSB, he is transferred.

7. Though the Applicant is due for transfer in general transfers, the fact remains that the Respondents issued single transfer order of the Applicant instead of taking his case for transfer in general transfers so that his options could be properly considered in proper perspective. Thus, prima-facie, there is haste while passing of order dated 27.04.2023 which seems to be outcome of the earlier litigations which goes against the Respondents. All that Applicant approached the Tribunal for considering of his options in general transfers which the Respondents need to consider in general transfer. Notably, the Respondents initially by order dated 13.04.2023 transferred the Applicant at Vaduj Khatav which he withdrew in view of intervention of the Government and reposted him at Maval but now by impugned order dated 27.04.2023, the Applicant is again posted at Vaduj Khatav. Thus, attempt has been made to assert once position which is already disapproved by the Tribunal as well as by the Government.

8. In view of above, by way of interim relief the implementation of order dated 27.04.2023 is stayed with liberty to Respondents to consider Applicant's case afresh in general transfers in terms of rules and then to pass necessary orders.

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

10. Issue notice before admission returnable on 15.06.2023.

11. 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.

12. 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.

13. 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.

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

15. S.O. to 15.06.2023.

<sup>h</sup>  
Sd/-

<sup>w</sup>  
**(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: 03.05.2023</p> <p align="center">M.A. No.199 of 2023 in O.A. No.462 of 2020</p> <p>D.R. Nalwad &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. last chance is granted to file Affidavit-in-Reply with specific <sup>direction</sup> directed that no further time will be granted.</p> <p>3. S.O. to 12.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p align="center">M.A. No.79 of 2023 in O.A. No.140 of 2023</p> <p>Dr. M.G. Khan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate both are absent.</li> <li>Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>On previous date two weeks time was granted to file Reply but the same is not filed. Today again learned P.O. sought time to file Affidavit-in-Reply stating that there is huge delay. Since enough time is granted, I am not inclined to grant further time.</li> <li>M.A. be kept for hearing with liberty to file Reply in the mean time at least two weeks before the next date with copy to other side.</li> <li>S.O. to 15.06.2023.</li> </ol> <p align="right">Sd/- ✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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: 03.05.2023</p> <p>M.A. No.318 of 2023 in O.A. No.509 of 2023</p> <p>S.D. Wagh &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p style="text-align: center;">O.A. No.509 of 2023</p> <p>S.D. Wagh &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicants have challenged suspension order dated 11.06.2022 whereby they are suspended in view of registration of crime under the provision of Prevention of Corruption Act, 1988 <i>inter-alia</i> contending they are subjected to prolong suspension.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 16.06.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 16.06.2023.</li> </ol> <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: 03.05.2023</p> <p align="center">M.A. No.314 of 2023 in M.A. No.262 of 2023 in O.A. No.46 of 2019</p> <p>S.R. Nikumbh &amp; Ors., .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. M.A. No.262/2023 is filed to challenge order dated 29.04.2019 which was issued during the pendency of O.A. and M.A. No.314/2023 is filed for condonation of delay to challenge the said order.</p> <p>3. In fact correct date of order which is now sought to challenge is 22.03.2019 but it is wrongly mentioned as order dated 29.04.2019. <del>In the mean time</del> learned Advocate for the Applicant is allowed to correct the date of the impugned order.</p> <p>4. Since the order dated 22.03.2019 is passed after filing of this O.A., I am inclined to allow amendment and also condone delay caused in challenging order dated 22.03.2019. O.A. was filed on 14.01.2019. As such it being subsequent event it needs to be incorporated in O.A. so as to decide O.A. on merit and to avoid multiplicity of O.A.</p> <p>5. Both the M.As are allowed.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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: 03.05.2023</p> <p align="center"><b>O.A. No.46 of 2019</b></p> <p><b>S.R. Nikumbh &amp; Ors.,</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. M.A. No.314/2023 &amp; M.A. No.262/2023 are filed to challenge the order dated 22.03.2019 by way of amendment. Amendment is allowed today. It be carried out within a week.</p> <p>3. Respondents shall file Affidavit-in-Reply to the amendment made in O.A. by next date.</p> <p>4. S.O. to 12.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2023</p> <p>O.A.No.510 of 2023</p> <p>K. E. Bahate ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the order dated 21.03.2023 passed by the S.D.O. , Daund - Purandan, Dist. Pune thereby suspending him invoking Rule 4(1)(a) of Maharashtra Civil Services (Discipline &amp; Appeal) Rules, 1979.</p> <p>3. <i>Prima-facie</i>, the impugned order is unsustainable in law since it seems to have been passed as a punishment.</p> <p>4. On request of learned P.O., one day time is granted to take instructions from the S.D.O. as to <sup>how</sup> <del>what</del> order dated 21.03.2023 could be passed in such a manner. All that if the S.D.O. intends to pass the order of punishment, he could do so in accordance to law but the question of suspension now does not survive.</p> <p>5. S.O. to 04.05.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-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><b>Date : 03.05.2023</b></p> <p><b>O.A.No.374 of 2023</b></p> <p><b>K. M. Survase</b> <span style="float: right;"><b>...Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri M. D. Lonkar learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondent and Shri A. V. Bandiwadekar, learned Counsel for the Respondent No.1.</p> <p>2. This O.A. is offshoot of the decision rendered by this Tribunal in O.A.No.63/2023, decided on 28.03.2023 in which the Tribunal has set aside the suspension order of Smt. Trupti Kolte and directions were given to reinstate the Applicant on the post she was holding at the time of suspension (clause 'C' of the operative order).</p> <p>3. This O.A. is filed by Shri Kiran Suravase who was to be displaced for implementation of the order passed by the Tribunal since he was posted in place of Smt. Trupti Kolte after her suspension.</p> <p>4. The Government aggrieved by the order passed by the Tribunal on 28.03.2023 passed in O.A.No.63/2023 <del>and</del> filed W.P. before the Hon'ble High Court which was heard on 02.05.2023. The Hon'ble High Court adjourned the matter to 08.06.2023 but granted ad-interim stay to clause 'C' of the order dated 28.03.2023 passed by the Tribunal in O.A.No.63/2023. Thus, the directions of the Tribunal to reinstate the Applicant on the same post are stayed by the Hon'ble High Court.</p> <p>5. Now, the question arises about issuance of appropriate posting order to Smt. Trupti Kolte. Learned P.O. on instructions submits that the file is under process and necessary orders will be issued soon.</p> <p>6. In view of above, as of now the issue of passing interim order in this O.A. does not survive as claimed by the learned Counsel for the Applicant. The Respondent No.1 has already filed reply and the Government is yet to file reply.</p> <p>7. In view of above, the O.A. is adjourned after vacation for filing reply of the Government.</p> <p>8. S.O. to 13.06.2023. <span style="float: right;">Sd/-</span></p> <p style="text-align: right;">v v (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 : 03.05.2023</p> <p>M.A.No.310 of 2023 in O.A.No.423 of 2023 with M.A.No.311 of 2023 in O.A.424 of 2023 with M.A.No.312 of 2023 in O.A.No.425 of 2023 with M.A.No.313 of 2023 in O.A. No.426 of 2023</p> <p>A. M. Kamble Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule and Smt. Kranti Gaikwad, learned Presenting Officers for the Respondents.</li> <li>2. All these Misc. Applications are again filed to stay the operation of order dated 31.03.2023 which are already challenged in Original Applications. In Original Applications also interim relief was prayed but the Tribunal observed that since the Applicants are already relieved interim relief was not granted.</li> <li>3. Now, by these Misc. Applications, the Applicants sought to contend that though initially they have transferred on the ground of surplus for implementation of roster, now the Respondent is again filling in the same post.</li> <li>4. Learned P.O. on instructions submits that the Respondent is not filling in the said post which are already declared surplus in view of the roster. He sought time to file reply to M.A.</li> <li>5. As stated above, the Tribunal has already declined to grant interim relief and matter was adjourned to 04.05.2023. Now, the Respondents will have to file reply to O.A. as well as M.A.</li> <li>6. Hence, the matters are adjourned after vacation for filing reply.</li> <li>7. S.O. to 09.06.2023. Sd/-</li> </ol> <p>(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: 03.05.2023</p> <p align="center">O.A. No.694 of 2022</p> <p>P.P. Gaikwad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, 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-Sur Rejoinder on behalf of Respondent No.4. It is taken on record.</p> <p>3. S.O. to 28.06.2023.</p> <p align="right">             Sd/-            (A.P. Kurhekar)            Member (J)         </p> <p align="left">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: 03.05.2023</p> <p>O.A. No.1291 of 2022</p> <p>K.A.H. Mehvi .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. S.O. to 26.06.2023.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p>O.A. No.368 of 2023</p> <p>S @ B.R. Kale .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged suspension order dated 23.03.2023 in view of registration of crime against her for the offence under the provision of Prevention of Corruption Act, 1988 and her headquarter was kept at Special Land Acquisition Officer No.19, Pune.</li> <li>3. The perusal of record reveals that while the Applicant was serving as Talathi at Wadgaon Budruk an offence under the provision of Prevention of Corruption Act, 1988 was registered against her. Thereafter, she was transferred to Sajja Theur and while working at Theur she was suspended by order dated 23.03.2023 which is impugned in the present O.A. Suffice to say the Applicant was not working where alleged incident took place.</li> <li>4. Apart, in view of circular dated 19.03.2008 the headquarter of Government servants needs to be kept at the place where he was working at the time of suspension unless there is request by Government servant. In present case there was no such request by the Applicant. As such, the change of headquarter at Special Land Acquisition, Pune is totally unwarranted.</li> <li>5. In view of above, Respondent is directed to change headquarter and headquarter be kept at the same place where she was working at the time of suspension order.</li> <li>6. Necessary orders to that effect be issued within a week.</li> <li>7. On request of learned P.O. one week time is granted to file Affidavit-in-Reply with specific direction that no further time will be granted.</li> <li>8. S.O. to 07.06.2023.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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: 03.05.2023</p> <p align="center">M.A. No.264 of 2023 in O.A. No.798 of 2022</p> <p>A.B. Londhe .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Proposed amendment is made to highlight alleged discrimination and to claim refund. The proposed amendment seems to be essential to adjudicate the issue involved in the matter and it will not change the nature of O.A.</p> <p>3. M.A. for amendment is therefore allowed.</p> <p>4. Amendment be carried out within a week. Respondents shall file Reply to the amended O.A. by next date.</p> <p>5. O.A. is adjourned to 14.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p align="center">M.A. No.265 of 2023 in O.A. No.479 of 2020</p> <p>K.P. Salunkhe .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The M.A. for amendment is filed giving details that how recovery is made. It will not change the nature of O.A. No Reply is filed to M.A. for amendment.</p> <p>3. In view of above, I am inclined to allow amendment. It be carried out within a week. Respondents shall file Affidavit-in-Reply to amendment made in O.A.</p> <p>4. S.O. to 09.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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

**Tribunal's orders**

**Date : 03.05.2023**

**O.A.No.22/2023**

M.P. Bagul .....Applicant  
Vs.

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

1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Ms. K.T. Pawar, learned Advocate for the Respondent No.3

2. Learned C.P.O. informs that the proposal to make this G.R. applicable retrospectively is placed before the Hon'ble Deputy Chief Minister and decision thereon is awaited.

3. Learned Advocate Ms. Pawar has referred to the order dated 12.01.2023 passed by this Tribunal wherein paragraph 5 reads as below :

"5. In view of the submissions of Ld. Advocate for the Applicant and Ld. CPO, the Home Department shall not proceed in issuing order of appointment to Respondent no.3 on the post of Scientific Officer as recommended by MPSC under S.T. category till 3.1.2023."

4. Learned Advocate Ms. Pawar has submitted that the said order is to be modified and vacated. It is submitted by learned C.P.O. that the clarification on equivalence as per G.R. dated 18.10.2016 is already issued. The only point whether it is to be made applicable retrospectively the approval of the Deputy Chief Minister is awaited. She has submitted that the name of Respondent No.3 was recommended by M.P.S.C. vide letter dated 09.01.2023. (copy of recommendation letter is annexed herewith).

5. Interim order is hereby modified as follows :

The appointment order of Respondent No.3 is to be issued subject to outcome of this O.A.

6. Adjourned to 09.06.2023.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b> Date : 03.05.2023
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**O.A.No.153/2023**

A.S. Deshmukh .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

2. Learned P.O. has submitted that affidavit-in-reply is already filed.

3. Admit. Place for Final Hearing.

4. Adjourned to 14.06.2023.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
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Date : 03.05.2023

O.A.No.10/2023

A.S. Bhusal & Ors. ....Applicants

Vs.

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

1. Heard Mr. O.M. Lonkar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

2. Learned P.O. for the Respondents has submitted that for the purpose of posting file is placed before the Civil Services Board.

3. Adjourned to 07.06.2023.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
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**Date : 03.05.2023**

**C.A.No.33/2023 in O.A.No.266/2022**

D.B. Rajbanshi .....Applicant  
Vs.

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

1. None for the Applicant. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents

2. Today learned P.O. has filed short-affidavit-in-reply dated 02.05.2023 on behalf of Respondent No.1, through Mr. Mangesh Bagde, Under Secretary, Water Resources Department, who is present personally. Learned P.O. has pointed out that in the noting of the Water Resources Department which is the ground to send letter dated 24.04.2023; there is reference of the order dated 25.03.2022 passed by the Tribunal in O.A.No.266/2022. The decision dated 24.04.2023 is taken by the authority and hence the order of the Tribunal has been complied with.

3. In view of above, affidavit dated 02.05.2023 is taken record and C.A. is hereby disposed of.

Sd/- \_\_\_\_\_

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2023</p> <p>O.A.No.96/2023</p> <p>Dr. N.P. Mahajan .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned C.P.O. for the Respondents has submitted that today during the course of the day she will file reply. It be taken on record. Copy be served upon the concern.</p> <p>3. Adjourned to 07.06.2023.</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
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Date : 03.05.2023

O.A.No.396/2023

P.P. Kulkarni .....Applicant

Vs.

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

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

2. Learned C.P.O. seeks time to file affidavit-in-reply.

3. Time granted. Reply is filed by tomorrow i.e. 04.05.2023.

4. At the request of learned Advocate adjourned to 04.05.2023 for hearing on interim relief.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 03.05.2023**

**O.A.No.460/2022**

B.B. Pawar & Ors. ....Applicants

Vs.

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

1. Heard Mr. M.B. Kadam, learned Advocate holding for Mr. S.B. Gaikwad, 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 the decision on the representation made by the applicant has not been taken.

3. M.P.S.C. is hereby directed to take decision on or before 28.06.2023.

Sd/-

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

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p style="text-align: center;">O.A. No.487 of 2023</p> <p>S.S. Rajadhyaksha .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant is claiming interest on the delayed payment of retiral benefits alleging that the payment is delayed due to administrative lapses on the part of Respondents.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 16.06.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 16.06.2023.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p style="text-align: center;"><b>O.A. No.505 of 2023</b></p> <p><b>A.K. Ugalmugale</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged suspension order dated 14.09.2022 whereby he is suspended in view of registration of crime under the provision of Prevention of Corruption Act, 1988 <i>inter-alia</i> contending that he is subjected to prolong suspension.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 16.06.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 16.06.2023.</li> </ol> <p style="text-align: right;">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p>O.A. No.504 of 2023</p> <p>A.B. Pande .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged suspension order dated 20.06.2022 whereby he is suspended in view of registration of crime under the provision of Prevention of Corruption Act, 1988 <i>inter-alia</i> contending that he is subjected to prolong suspension.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 16.06.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <b>seven</b> days or service report on affidavit is not filed <b>three</b> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<b>for Dismissal</b>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 16.06.2023. <span style="float: right;">N</span></li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 03.05.2023</b></p> <p align="center"><b>O.A. No.77 of 2018</b></p> <p><b>D.S. Khatal &amp; Ors.,</b> .....Applicant Versus <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. Learned Advocate for the Applicant submits that he does not want to file Rejoinder.</li> <li>3. Since pleading is complete O.A. be kept for Final Hearing.</li> <li>4. S.O. to 08.06.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p align="center">O.A. No.158 of 2023</p> <p>Dr. D.G. Biradar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>3. On request of learned P.O. last chance is granted to file Affidavit-in-Reply.</li> <li>4. S.O. to 05.06.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 03.05.2023</p> <p align="center">O.A. No.178 of 2023</p> <p>S.R. Pawar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>3. On request of learned P.O. one day time is granted to file Reply.</li> <li>4. S.O. to 04.05.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p align="center">O.A. No.193 of 2023</p> <p>J.R. Chavan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Rejoinder but the same is not filed.</p> <p>4. O.A. be kept for Final Hearing after vacation with liberty to file Rejoinder at least one week before the next date with copy to other side.</p> <p>5. S.O. to 20.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 03.05.2023</b></p> <p align="center"><b>O.A. No.297 of 2023</b></p> <p><b>S.V. Desai</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record. No separate Reply is filed on behalf of Respondent Nos.1 &amp; 2.</li> <li>3. Learned Advocate for the Applicants submits that he does not want to file Rejoinder.</li> <li>4. Since, pleading is complete O.A. be kept for hearing at the stage of admission.</li> <li>5. S.O. to 19.06.2023.</li> </ol> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p align="center">O.A. No.385 of 2023</p> <p>A.M. Bhoite .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri U.V. Bhosle, 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 to file Affidavit-in-Reply.</p> <p>3. S.O. to 06.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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: 03.05.2023</p> <p align="center"><b>O.A. No.417 of 2022</b></p> <p>R.P. Gage .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri V. Sangvikar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. today filed detailed Affidavit-in-Reply on behalf of Respondent No.1 since Affidavit-in-Reply filed earlier was on short point. It is taken on record. No separate Reply is filed on behalf of Respondent Nos.2 &amp; 3.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 05.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2023</p> <p align="center">O.A. No.1275 of 2022</p> <p>C.K. More .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that he does not want to file short Affidavit as submitted earlier and Affidavit-in-Reply already filed is enough.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 05.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 03.05.2023</b></p> <p align="center"><b>O.A. No.497 of 2023</b></p> <p><b>M.L. Bagal</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged transfer order dated 04.08.2022 and relieving order dated 10.04.2023 <i>inter-alia</i> contending that he is transferred mid-term and mid-tenure.</li> <li>3. In sofaras interim relief is concerned apparently he has not challenged transfer order dated 04.08.2022 within reasonable time and approached the Tribunal only after relieving order 10.04.2023. He is already relieved in pursuance of order dated 10.04.2023. Therefore, I am not inclined to grant interim relief.</li> <li>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>5. Issue notice before admission returnable on 16.06.2023.</li> <li>6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> </ol> <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>8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>10. S.O. to 16.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 03.05.2023</b></p> <p align="center"><b>O.A. No.492 of 2023</b></p> <p><b>M.G. Mulla</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Tribunal by order dated 28.04.2023 granted interim relief till today (03.05.2023) with direction to the learned P.O. to tender file for perusal of Tribunal.</p> <p>3. Today learned P.O. has tendered the file which reveals that only on direction given by Hon'ble Chief Minister impugned order dated 13.04.2023 has been passed thereby staying transfer order dated 11.04.2023. No reason even for namesake is forthcoming in the file as to why transfer order dated 11.04.2023 which was already implemented and in pursuance of which the Applicant joined at Daund, is stayed. Thus apparently order dated 13.04.2023 is totally arbitrary and <i>prima-facie</i> unsustainable.</p> <p>4. For the aforesaid reason interim relief as prayed in Clause 10(a) is granted.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 14.06.2023.</p>

[P.T.O.]



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

**Tribunal's orders**

7. 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.

8. 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.

9. 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.

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

11. S.O. to 14.06.2023.

Sd/-

(A.P. Kurhekar)  
Member (J)

NMN

**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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Tribunal's orders</b></p>
	<p><b>Date : 03.05.2023</b></p> <p><b>O.A.No.1259/2022 WITH O.A.No.659/2022</b></p> <p>G.R. Shelar &amp; Anr. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant in O.A.No.1259/2022, Ms. S. Suryawanshi, learned Advocate for the Applicant in O.A.No.659/2022, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents, Mr. Talekar, learned Advocate for the Respondents No.8, 10, 12, 17, 22, 25, 28, 29, 31, 34, 35 &amp; 50, Mr. Tripathi, learned Advocate for the Respondents No.51, 56 &amp; 58, Mr. Deore, learned Advocate for the Respondents No.9, 10, 11, 14 &amp; 15 and Mr. Bali, learned Advocate for the Respondent No.62</p> <p>2. The Joint Secretary, School Education is directed to remain present with all information today i.e. 03.05.2023 at 2.00 p.m.</p> <p style="text-align: right;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>