

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

Tribunal's orders

Date: 03.05.2024

O.A. No.555 of 2023

S.G. RanpiseApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned PO present copy of letter dated 24.04.2024 of 'Joint Commissioner, State Excise (Admin)' in office 'Commissioner State Excise, Maharashtra State, Mumbai'; wherein it has been mentioned that request of Applicant could not be considered as representation was made belatedly by Applicant on 31.01.2024 and it was received on 01.02.2024 after posts of 'Sub Inspectors, State Excise' had been filled up by Transfer Order dated 29.01.2024.

3. Learned PO further emphasized that although request of Applicant was belatedly received on 01.02.2024 in office of 'Commissioner State Excise, Maharashtra State, Mumbai'; but Applicant had requested for 10 posts of 'Sub Inspector State Excise' which are all categorized as 'Executive Posts'. Hence, Applicant could not be again transferred to 'Executive Post' as per directions in Home Department (State Excise) Government Letter dated 25.05.2021 addressed to 'Commissioner State Excise, Maharashtra State, Mumbai'.

4. The Home Department (State Excise) Government letter dated 25.05.2021 does not mention 'Source of Law' or relevant 'Rules & Regulation' on the basis of which such classification has been made between 'Executive Post' and 'Non-Executive Posts' of 'Sub Inspector State Excise' by the 'Commissioner State Excise, Maharashtra State, Mumbai'.

5. The 'Commissioner State Excise, Maharashtra State, Mumbai' has relied only on Home Department (State Excise) Government Letter dated 25.5.2021 to arrive at conclusion to reject the request of Applicant made on 31.01.2024. The Home Department (State Excise) Government Letter dated 25.05.2021 cannot even be considered to be 'Policy Decision' taken by issuing 'Government Resolution' or 'Government Circular'.

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	<p>Further such sub-classification of posts made by 'Administrative Departments' does not have any force of law as no such mention is made in either 'Section 2(g)' or 'Section 3(1)' of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'.</p> <p>6. The 'Commissioner State Excise, Maharashtra State, Mumbai' was thus expected to tread cautiously while deciding matters relating to exercise of 'Statutory Powers' under 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' which clearly do not embody any sub-classification of posts of 'Government Servants' into 'Executive Post' and 'Non-Executive Posts'. Question therefore arises as what has not been provided by law, rules and regulations or even brought in as 'Policy Decision' through 'Government Resolution' or 'Government Circular', cannot be sought to be effected by way of ordinary communication as has been done through Home Department (State Excise) letter dated 25.05.2021. Necessary also for 'Commissioner Maharashtra State, Mumbai' is to examine whether such classification of posts would be desirable to do under 'Special Legislation' Viz 'Maharashtra Prohibition Act 1949'.</p> <p>7. The 'Commissioner State Excise, Maharashtra State, Mumbai' by rejecting the request of Applicant in cavalier manner has also undermined the policy decision taken by GAD GR dated 21.11.2022 granting preference to 'Ex-Servicemen' in matters of transfer subject to policy guidelines GAD GR dated 09.04.2024.</p> <p>8. The 'Principal Secretary Home (State Excise)' is hence informed to take note of the observations made above and examine validity of instructions given to 'Commissioner State Excise, Maharashtra State, Mumbai' by way of Home Department (State Excise) Government Letter dated 25.05.2021 and if such classification of posts of 'Sub Inspector State Excise' as 'Executive Posts' and 'Non-Executive Posts' could be justifiably used for rejection of request of 'Applicant' who is an 'Ex-serviceman'.</p> <p>9. S.O. to 20.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</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 Date: 03.05.2024
	<p style="text-align: center;">O.A. No.708 of 2023</p> <p>M.S. NaikApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. R.S. Sinhasane, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned PO presents copy of the letter dated 16.04.2024 received from 'District Collector, Kolhapur' which mentions that 'Applicant' and 'Husband' can be posted together under jurisdiction of 'S.D.O Gadhinglaj, District Kolhapur' as per provisions of GAD GR dated 09.04.2024 during 'General Transfers: 2024'. 3. Learned PO then mentions that as per Revenue & Forest Department GR dated 18.09.2023 all service matters of the cadre of 'Talathi' have been placed directly under 'District Collector'. 4. Learned Advocate for Applicant thereupon states that against this back drop 'District Collector, Kolhapur' is willing to jointly consider request of both 'Applicant' and 'Husband' only if they were to seek transfer in jurisdiction of 'S.D.O Gadhinglaj, District Kolhapur'. 5. The Applicant in already serving in cadre of 'Awal Karkun' in office of 'S.D.O Gadhinglaj, District Kolhapur' and 'Husband' is serving as 'Talathi' for more than 11 Years under jurisdiction of Tahsil Office, Karvir, District Kolhapur. Hence considering the policy guidelines in GAD GR dated 09.04.2018 in all fairness

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	<p>'Applicant' and 'Husband' cannot be restricted to seek transfers only in jurisdiction of 'S.D.O Gadhinglaj, District Kolhapur'. So; they are given liberty to submit fresh joint representation to 'District Collector, Kolhapur' to seek transfers under jurisdiction any of the 'Sub Divisional Offices' in Kolhapur District.</p> <p>6. The 'District Collector, Kolhapur' as per extant policy guidelines in GAD GR dated 09.04.2018 to consider the fresh joint representation of 'Applicant' and 'Husband' and thereupon take appropriate decision during 'General Transfer: 2024' keeping in mind the cited 'Personal Hardships'.</p> <p>7. The O.A. No. 708/2023 is accordingly disposed off. No Order as to Cost.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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: 03.05.2024</p> <p>O.A. No.391 of 2024</p> <p>S.V. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.2. Learned Advocate for Applicant reiterates that Applicant had earlier served in 'L.W.E.' affected 'Gadchiroli District'.3. Learned Advocate for Applicant thereupon states that Applicant was therefore required to be transferred to only those 'Police Establishment' which were his preference viz (i) 'Superintendent of Police, Solapur' (Rural) (ii) 'Superintendent of Police, Satara' or (iii) 'Superintendent of Police, Sangli' in observance of specific policy guidelines in (i) G.A.D. GR dated 06.08.2002 and (ii) 'Home Department' GR dated 08.12.2009.4. Learned PO states that information is yet not received from office of 'DGP, Maharashtra State' and thus more time is required to file 'Affidavit-in-Reply'. Time as prayed for is granted to learned PO.5. The case of Applicant is covered by extant policy guidelines in (i) G.A.D. GR dated 06.08.2002 and (ii) 'Home Department GR dated 08.12.2009 as he had earlier served in 'L.W.E.', affected 'Gadchiroli District'.

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Now as 'DGP, Maharashtra State' has undertaken the exercise to promote 'API's to Vacant Posts of 'Police Inspectors' for expeditious implementation of directions given in 'C.A.' No. 33/2024 with respect to judgment in O.A. No. 1268/2022, therefore case of Applicant who has been posted to establishment of 'Commissioner of Police, Pimpri Chinchwad' be re-considered and Applicant posted to any Vacant Post of 'Police Inspector' available in establishment of either (i)'Superintendent of Police, Solapur' (Rural) (ii) 'Superintendent of Police, Satara' or (iii) 'Superintendent of Police, Sangli'.

6. S.O. to 11.06.2024

Sd/-

(Debashish Chakrabarty)
Member (A)

AGR

**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 Date: 03.05.2024
	<p align="center">O.A. No.1083 of 2023</p> <p>Dr. J.B. MokalApplicant Versus The State of Maharashtra & 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. Learned P.O. states that as more information has been received from 'Animal Husbandry, Dairy Development and Fisheries Department' therefore she will be filing 'Additional Affidavit- in-Reply' within next 3 days as well as provide advance copy of 'Additional Affidavit-in-Reply' to learned Advocate for Applicant.</p> <p>3. Learned PO draws specific attention to guidelines in 'Animal Husbandry Department' Government Resolution dated 09.03.2023 which gives policy guidelines regarding appointment of (i) Deputy Commissioners of Animal Husbandry: (ii) Assistant Commissioners of Annual Husbandry and (iii) Livestock Development Officers to identified 'Technical & Research Institutions' at 'State Level' based on their 'Special Educational Qualifications'.</p> <p>4. Learned Advocate reiterates Applicant is now serving as 'Livestock Development Officer, Ispurli, Taluka Karveer District Kolhapur', but seeks transfer to 'Vacant Post' of 'Livestock Development Officer, (Integrated Survey Scheme), Kolhapur' as she has undergone 'Special Training' as 'State Nodal Officers' regarding use of 'eLiss Software'.</p>

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	<p>5. The post of 'Livestock Development Officer' (Integrated Survey Scheme), Kolhapur is not included under 'Animal Husbandry Department' Government Resolution dated 09.03.2023. Therefore it does not require any 'Special Educational Qualifications' and can be filled up from the 'General Pool' of 'Livestock Development Officers'.</p> <p>6. The work responsibilities of 'Livestock Development Officers' (Integrated Survey Scheme) relates to collection of 'Field Data' relating to 'Income' from Livestock' under 'Agriculture & Allied Sector' for estimation of 'GSVA' for 'Economic Surveys'.</p> <p>7. The 'Principal Secretary, Animal Husbandry, Dairy Development and Fisheries Department' to thus furnish information as to how many 'Livestock Development Officers' have undergone 'Special Training' organized for 'State Nodal Officers' regarding use of 'eLiss Software'. Also; 'Statistical Information' about (i) Number of 'Sanctioned Posts' (ii) Number of 'Vacant Posts' of 'Livestock Development Officers' (Integrated Survey Scheme) and how many 'Vacant Posts' have not been filled up for more than 5 years; 3 to 5 years and upto 3 years.</p> <p>8. S.O. to 21.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2024</p> <p align="center">O.A. No.179 of 2024</p> <p>R.S. MulaniApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B. Shelke, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks more time to file 'Affidavit-in-Reply' on behalf of Respondents. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. to 18.06.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2024</p> <p align="center">O.A. No.191 of 2024</p> <p>P.B. WanneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B. Shelke, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks more time to file 'Affidavit-in-Reply' on behalf of Respondents. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. to 18.06.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 03.05.2024</p> <p align="center">O.A. No.222 of 2024</p> <p>Y.J. Nikam & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B. Shelke, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks more time to file 'Affidavit-in-Reply' on behalf of Respondents. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. to 18.06.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

Date: 03.05.2024

O.A. No.24 of 2024

A.G. JamdarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. S.S. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned Advocate for Applicant states that he does not want to file 'Affidavit-in-Rejoinder' to the 'Affidavit-in-Reply' filed by Respondent No.4 on 06.03.2024.

3. Learned P.O. therefore states that O.A. No.24/2024 be admitted and kept for 'Final Hearing'.

4. The 'Chief Conservator of Forest (Territorial), Kolhapur' is informed to peruse contents of 'Para 16' of 'Affidavit-in-Reply' dated 06.03.2024 filed by 'Assistant Conservator of Forest, Chandoli, Patan Satara' wherein it has been affirmed that Applicant *has no vested statutory right to be transferred on completion of one full tenure of '3 Years' and such G.R. dated 21.11.2022 is of no use for him.* The 'Chief Conservator of Forest (Territorial), Kolhapur' to look into these cavalier averments made by 'Assistant Conservator of Forest, Chandoli, Patan Satara' which are '*prima-facie*' against 'Policy Guidelines' in G.A.D. G.R. dated 21.11.2022 to give precedence in transfers to 'Government Servants' who are 'Ex-Servicemen'.

5. The 'Chief Conservator of Forest (Territorial), Kolhapur' is thus directed to refer to G.A.D. G.R. dated 21.11.2022 which is specifically in respect of 'Government Servants' who are 'Ex-Servicemen' and then file 'Affidavit-in-Reply' as to whether request of Applicant who is 'Ex-Servicemen' would be re-considered with an 'Open Mind' and 'Non Partisan' manner during 'General Transfers 2024'. The Applicant would thereafter be informed to submit fresh application to 'Chief Conservator of Forest (Territorial), Kolhapur' for due consideration during 'General Transfers 2024' having completed 'Normal Tenure' of '3 Years' and being so entitled as 'Ex-Servicemen' under policy guidelines in 'G.A.D. G.R. dated 09.04.2018' read with 'G.A.D. G.R. dated 21.11.2022'.

4. S.O. to 19.06.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

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

Tribunal's orders

Date: 03.05.2024

O.A. No.1535 of 2023

P.V. Gavte

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri Swaraj Patil, learned Advocate holding for Jay & Co., learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. states that they have already filed 'Affidavit-in-Reply' on behalf of 'D.G.P. Maharashtra State' on 05.03.2024 which only states that 'P.E.B.-II' held its meeting on 06.06.2023 wherein the request of the Applicant along with other 4 'P.Is.' were rejected by 'P.E.B.-II'. Further it also states that 'Police Inspectors' are subject to transfers under provisions of 'Section 22N' of 'Maharashtra Police Act, 1951' and thus G.A.D. Circular dated 27.11.1997 is not applicable to 'Police Personnel'. Also, it is mentioned that as Applicant has not completed tenure of '8 Years' in the establishment of 'Commissioner of Police, Greater Mumbai' he was not eligible for transfer to establishment of 'Special I.G.P. Nanded Range'.

3. Learned Advocate for Applicant states that 'D.G.P. Maharashtra State' has already begun the exercise of filling up 'Vacant Posts' of 'Police Inspectors' upon promotion of 'A.P.I.' as per Order in O.A. No.1268/2022 dated 16.01.2024 and direction for its compliance given on 18.04.2024 in C.A. No.33/2024 in O.A. No.1268/2022. Thus during this exercise all posts of 'Police Inspectors' in establishments of 'Superintendent of Police, Nanded' and 'Special I.G.P. Nanded Range' are likely to be filled up by 'D.G.P. Maharashtra State'.

4. Learned P.O. states that the status of implementation of Order in O.A. No.1268/2022 dated 16.01.2024 and directions for its compliance given on 18.04.2024 in C.A. No.33/2024 in O.A. No.1268/2022 about filling of post of 'Police Inspectors' will be ascertained from 'D.G.P. Maharashtra State' by 08.05.2024.

5. S.O. to 08.05.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2024</p> <p>O.A. No.302 of 2024</p> <p>B.B. Shelke & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. files 'Short Affidavit' on behalf of Respondent No.4 in compliance with Order dated 02.04.2024. It is taken on record.</p> <p>3. Learned P.O. states that as per directions in 'Para 3' of Order dated 23.04.2024; the 'Minutes of Meeting' which was held on 12.04.2024 by 'D.G.P. Maharashtra State' to resolve issues relating to joining of 'Armed Head Constables, 'Naik Police Constables' & 'Police Constables' from 'S.R.P.F. Groups' in 'S.P.U.' under establishment of 'Spl. I.G.P. (V.I.P Security), Mumbai' has now been received and she will accordingly file 'Affidavit-in-Reply' as per directions in 'Para 3' of Order dated 23.04.2024.</p> <p>4. Learned P.O. based on information provided states that 175 'Armed Head Constables, 'Naik Police Constables' & 'Police Constables' have been relieved as of today from various 'S.R.P.F. Groups' by 'Additional D.G., S.R.P.F., Maharashtra State, Mumbai' to join in 'S.P.U.'.</p> <p>5. Learned P.O. further mentioned that remaining 'Armed Head Constables, 'Naik Police Constables' & 'Police Constables' of various 'S.R.P.F. Groups' are also expected to be relieved soon to join in 'S.P.U' under establishment of 'Spl. I.G.P. (V.I.P Security), Mumbai', as per directions recorded in 'Minutes of Meeting' issued dated 15.04.2024 by 'D.G.P. Maharashtra State'.</p> <p>6. S.O. to 10.05.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

Date : 03.05.2024

O.A.No.596 of 2024

M. N. Nerlekar

....Applicant

Versus

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

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The learned Counsel for Applicant submits that Applicant who is serving in cadre of 'Sr. Inspector of Police' seeking consideration of his case for promotion to cadre of 'Deputy Superintendent of Police/Assistant Commissioner of Police' as per guidelines in 'Clause 9' of GAD GR dated 15.12.2017 as it is more than 2 years since his case is kept in Sealed Cover Envelop due to trial in C.R.No.56/2014 punishable under Section 7,13(1)(d), 13(2) of 'Prevention of Corruption Act' read with Section 384, 166, 201, 506, 34 of 'Indian Penal Code'.
3. Learned CPO is informed to find out from both (a) Additional Chief Secretary, Home Department and (b) DGP Maharashtra State about what appropriate action has been taken about the case of Applicant as per guidelines in Clause 9 of GAD GR dated 15.12.2017.
4. Issue notice before admission returnable on 09.05.2024.
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 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.
9. S.O. to 09.05.2024 under the caption of 'Urgent Admission'.

Sd/-

(Debashish Chakrabarty)

Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date: 03.05.2024

O.A. No.452 of 2024

V.R. GoudApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Sarang Gundajkar holding for Shri. R.G. Panchal, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.

2. Learned PO seeks 'Two Weeks' time to file 'Affidavit-in-Reply' on behalf of Respondent. Time as prayed for is granted to learned PO.

3. S.O. to 13.06.2024

Sd/-

(Debashish Chakrabarty)
Member (A)

AGR

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date: 03.05.2024

O.A. No.479 of 2024

A.M. KhobragadeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Sarang Gundajkar holding for Shri K.S. Jadhav, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned PO seeks 'Three Weeks' time to file 'Affidavit-in-Reply' on behalf of 'Commissioner of Medical Education and Research, Maharashtra State, Mumbai'. Time as prayed for is granted to learned PO.

3. S.O. to 13.06.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

AGR

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p>Date : 03.05.2024</p> <p>O.A.No.293 of 2024 (DB-II)</p> <p>P.D. KokareApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere, learned Counsel for the Applicant, Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri Prashant Patil, learned Counsel for Respondent No.9.</p> <p>2. Today, Shri Prashant Patil, learned Counsel has filed Vakalatnama on behalf of Respondent No.9.</p> <p>3. The learned CPO has filed Affidavit in Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. S.O. to 07.05.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 03.05.2024</p> <p>O.A.No.514 of 2024 (DB-II)</p> <p>S.R. Nikam & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G. K. Biradar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned Counsel for Applicant submits that O.A.513/2924 and O.A.514/2024 were heard together on 19.04.2024 and it was listed again on 23.04.2024. Learned Counsel submits that the order in respect of O.A.513/2024 was uploaded however no order has been uploaded in O.A.514/2024.</p> <p>3. Learned PO states that O.A.513/2024 is listed on 10.05.2024 therefore O.A.514/2024 also be listed along with O.A.513/2024 on 10.05.2024.</p> <p>4. S.O. to 10.05.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</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 : 03.05.2024</p> <p>O.A.No.317 of 2024</p> <p>S. R. TengleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The learned Counsel for Applicant submits that Applicant who was earlier transferred from post of 'Chief Officer, Daund Municipal Council' by Transfer Order dated 02.02.2024 of Urban Development Department has now submitted Application dated 30.04.2024 to Principal Secretary, Urban Development Department -II with request to post him on any vacant post of 'Deputy Commissioner, Pune Municipal Corporation'. 3. The learned PO for Respondents states that no information is yet available from Principal Secretary, Urban Development Department -II in respect of observation & directions given in 'Para 8 to Para 10' of Order dated 08.03.2024. 4. The Principal Secretary, Urban Development Department -II is thus directed to expedite submission of information with respect to observation & directions in Para 8 to Para 10' of Order dated 08.03.2024. 5. The Principal Secretary, Urban Development Department-II is also informed that request made by Applicant on 30.04.2024 may be considered on grounds that he had been transferred from post of 'Chief Officer, Daund, Municipal Council' in less than 'One Year'; as also because transfers of Government Servants serving on posts notified as 'ERO/AERO' were no longer required to be done, as these posts which had earlier been included under 'Para 5.1' of directions in Election Commission letter dated 21.12.2023 were subsequently removed from revised directions in Election Commission of India letter dated 27.02.2024. 6. S.O. to 09.05.2024. <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p>

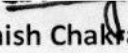
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 03.05.2024</p> <p align="center">O.A. No.282 of 2024</p> <p>Dr. R.S. SatputeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri M.D. Lonkar, learned Advocate for Respondent No.5 - Intervener.</p> <p>2. Learned Advocate for Applicant states that as per Order of M.A. No.154/2024 in O.A. No.282/2024 dated 28.03.2024, he will be impleading 'Applicant - Intervener' as 'Respondent No.5' and amend O.A. No.282/2024 today itself and then provide amended copy of O.A. No.282/2024 to 'Respondent No.5' and 'Other Respondents' as well as 'learned P.O.'</p> <p>3. 'Interim Relief' to continue till 'Next Date'.</p> <p>4. S.O. to 07.05.2024.</p> <p align="right">Sd/-  (Debashish Chakrabarty) Member (A)</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
	<p>Date: 03.05.2024</p> <p>O.A. No.1534 of 2023</p> <p>R.B. BhaleraoApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Swaraj Patil, learned Advocate holding for Jay & Co., learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents. 2. Learned Advocate for Applicant states that on 18.07.2023 Applicant had requested 'D.G.P. Maharashtra State' for transfer to any 'Police Establishment' in 'Nashik' on grounds of 'Husband & Wife' to be posted together and 'Old Age of Mother'. In that application he had mentioned that besides of establishment of 'Commissioner of Police, Nashik', he would be willing to serve in 'Nashik' on post of 'A.P.I.' in 'Specialized Agency' such as 'A.C.B.'; 'A.T.S.'; 'S.I.D.' & 'Highway Traffic'. 3. Learned P.O. states that it would not be possible to consider request of Applicant for transfer to establishment of 'Commissioner of Police, Nashik' because of provisions of 'Rule 8 & 12' of 'Maharashtra Government Allotment of Revenue Division for Appointment by Nomination and Promotion to the post of Group A & Group B (Gazetted and Non-Gazetted) Rules, 2021'. 4. The 'D.G.P. Maharashtra State' thus informed to now consider request of Applicant to be posted as 'A.P.I' to any 'Specialized Agency'. The Applicant to submit fresh representation within 'One Week' to 'D.G.P. Maharashtra State' for transfer to any particular 'Specialized Agency'. 5. The 'D.G.P. Maharashtra State' would be expected to take appropriate decision during course of 'General Transfer : 2024' about request of Applicant based on fresh representation and in due consideration of grounds of 'Husband & Wife' to be posted together and 'Old Age of Mother' of Applicant. 6. S.O. to 14.06.2024. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2024</p> <p>O.A. No.807 of 2023</p> <p>V.P. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri G.A. Bandiwadekar, learned Advocate for Respondent No.4.</p> <p>2. Learned Advocate for Applicant states that the Applicant has made an application on 19.03.2024 to 'Divisional Joint Registrar Co-operative Societies (Audit), Nashik Division, Nashik' requesting transfer from present post of 'Auditor Co-operative Societies' at 'Nandgaon' to posts of 'Auditor Co-operative Societies' at 'Dindori' or 'Kalwan'. However, Applicant is now willing to cancel request for post of 'Auditor Co-operative Societies' at 'Dindori' and submit fresh application to 'Divisional Joint Registrar Co-operative Societies (Audit), Nashik Division, Nashik'.</p> <p>3. Learned Advocate for 'Respondent No.4' thereupon states that there would be no objection for consideration of such fresh representation of Applicant if it excludes the post of 'Auditor Co-operative Societies' at 'Dindori'</p> <p>4. The 'Divisional Joint Registrar Co-operative Societies (Audit), Nashik Division, Nashik' would therefore be at liberty to consider the fresh representation of Applicant on merit regarding request for transfer from present post of 'Auditor Co-operative Societies' at 'Nandgaon'; any time before or during 'General Transfer 2024'.</p> <p>5. S.O. to 20.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p align="center">Date: 03.05.2024</p> <p align="center">M.A. No.626 of 2023 in O.A. No.1190 of 2023</p> <p>The Maharashtra Agro. Ind. Dev. Corp., Ltd. H.O. Through its Mangaing Dir. Krushi Udyog Bhavan.Applicant Versus J.R. DeoreRespondents.</p> <p>1. Heard Ms. Darshana Kadekot, learned Advocate holding for Shri V.B. Joshi, learned Advocate for the Applicant in M.A. No.626/2023 in O.A. No.1190/2023; Smt. Archana B.K., learned Presenting Officer for the Respondents, Shri K.R. Jagdale, learned Advocate for the Applicant in O.A. No.1190/2023.</p> <p>2. The M.A. No.626/2023 has been heard on few earlier occasions and as 'Short Affidavit' was filed on 04.12.2023 alongwith 'Additional Affidavit' filed on 21.02.2024 on behalf of 'Animal Husbandry, Fisheries & Dairy Development Department', therefore the M.A. No.626/2023 is now 'Closed for Orders'.</p> <p>3. The O.A. No.1190/2023 will be heard after pronouncement of order in M.A. no.626/2023.</p> <p>4. S.O. to 21.06.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p>Date : 03.05.2024</p> <p>O.A.No.71, 72 & 73 of 2024 (DB-II)</p> <p>N.N. Nalegaonkar & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri Abhishek Nagode holding for Shri N. G. Patil, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Presenting Officer for the Respondents2. Learned CPO has filed Affidavit in Reply on behalf of Respondent No.2 in O.A. No.73/2024. It is taken on record.3. Learned Counsel for Applicants have filed 'Affidavit in Rejoinder' to 'Affidavit in Reply' filed on behalf of Respondent No.6 in OA No.73/2024. It is taken on record.4. Learned Counsel for Applicants also seeks liberty to file 'Affidavit in Rejoinder' to 'Affidavit in Reply' filed today on behalf of Respondent No.2. Liberty granted to learned Counsel for Applicant.5. The matter is admitted and kept for 'Final Hearing'.6. S.O. to 20.06.2024. Stay to be continued. <p>Sd/- (Debashish Chakrabarty) Member (A)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.526 of 2024</u></p> <p>R.B. Asan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 10.6.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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 seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.598 of 2024</u></p> <p>S.Y. Mali ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 10.5.2024. The respondents are directed to file reply. To be shown under the caption of Urgent Admission.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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 seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.300 of 2023</u></p> <p>D.D. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.N. Biradar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 26.4.2024 of respondents no.1 & 2.</p> <p>3. S.O. to 13.6.2024.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.982 of 2023</u></p> <p>J.D. Bhambure & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Kiran Upasani, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 3.5.2024 of respondent no.2.</p> <p>3. S.O. to 18.6.2024 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.167 of 2024</u></p> <p>P.B. Gatkul ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. Ld. Advocate for the applicant is absent.</p> <p>2. Ld. PO states that copy of OA is not served in the office of Ld. CPO.</p> <p>3. S.O. to 21.6.2024.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.168 of 2024</u></p> <p>C.S. Aarge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Suhas Deokar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 3.5.2024 of respondent no.2 & 4.</p> <p>3. S.O. to 12.6.2024.</p> <div style="text-align: right; margin-top: 20px;"> <p>Sd/- (Medha Gaegil) Member (A) 3.5.2024</p> </div> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.169 of 2024</u></p> <p>D.V. Ghag ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 26.4.2024 of respondent no.3 and seeks time to file reply of other respondents.</p> <p>3. S.O. to 20.6.2024.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.295 of 2024</u></p> <p>M.B. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files replies dated 25.4.2024 of respondent no.1 & 2 and respondent no.3.</p> <p>3. S.O. to 14.6.2024.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.400 of 2024</u></p> <p>A.N. Devade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Ashmita Goradia h/f Shri V.R. Katariya, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 12.4.2024 of respondent no.4.</p> <p>3. S.O. to 21.6.2024.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.435 of 2024</u></p> <p>S.S. Chandorkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The above matter relates to pension. Ld. PO to file reply.</p> <p>3. S.O. to 10.6.2024.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.505 of 2024</u></p> <p>R.N. Bhanase ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that the applicant has filed this OA seeking directions to the respondents to decide the representations dated 9.8.2023, 10.9.2023 and 27.9.2023 for grant of deemed date.</p> <p>3. The respondents are directed to decide the said representations within a period of two months from today and communicate the decision to the applicant within a period of one week thereafter. OA disposed off accordingly.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.498 of 2024</u></p> <p>I.B. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 20.6.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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 seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>M.A. No.282 of 2024 in O.A. No.498 of 2024</u></p> <p>I.B. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that there is delay of 7 days in filing the above OA, which is unintentional and the same may kindly be condoned in the interest of justice.</p> <p>3. Ld. PO opposes the MA.</p> <p>4. In view of the facts and circumstances of the case the marginal delay of 7 days is condoned. MA disposed off accordingly.</p> <div style="text-align: right; margin-right: 100px;"> <p>Sd/- (Medha Gadgil) Member (A) 3.5.2024</p> </div> <p>(sgj)</p>

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	<p>Date : 03.05.2024</p> <p>O.A.No.517 of 2024</p> <p>P. D. KatkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent No.1, 2 and 4 and Shri Sumit Vhanbatte holding for Shri Aditya Raktade, learned Counsel for Respondent No.3.</p> <p>2. The Commissioner, Ichalkaranji Municipal Corporation, Dist. Kolhapur is represented by Shri Sumit Vhanbatte holding for Shri Aditya Raktade, learned Counsel has filed 'Vakalatnama'. It is taken on record.</p> <p>3. The 'Interim Order' dated 15.04.2024 to keep 'One Post' of 'Deputy Municipal Commissioner, Pune Municipal Corporation' vacant is continued as factual information is yet not submitted by Urban Development Department as per directions in Order dated 15.04.2024.</p> <p>4. S.O. to 07.05.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>vsm</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 : 03.05.2024</p> <p>O.A.No.320 of 2024 (DB-II)</p> <p>C. D. PanemApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO seeks time to file reply regarding observations recorded in Order dated 04.03.2024 regarding implementation of GAD GR dated 04.05.2022 and Public Health Department GR dated 15.03.2023.</p> <p>3. Learned PO is granted time by way of last chance for file Affidavit in Reply on behalf of Public Health Department.</p> <p>4. S.O. to 14.06.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2024</p> <p>O. A. No. 215 of 2024 (DB-II)</p> <p>M. S. NalawadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Sumit Vhanbatte holding for Shri A. S. Raktade, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that 'Short Affidavit' is already filed on behalf of 'Respondent No.2' on 19.04.2024.</p> <p>3. Learned Counsel for Applicant does not seek liberty to file Affidavit in Rejoinder.</p> <p>4. The matter is admitted and kept for final hearing.</p> <p>5. S.O. to 18.06.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><i>03.5.2024</i> Date : 28.03.2024</p> <p style="text-align: center;">M.A.No.131/2022 in M.A.No.499/2022 in O.A.No.31/2022</p> <p>Y.B. Wagh .Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, we have kept this matter for hearing. We heard arguments of Applicant in person for more than 1½ hours. Earlier also we have heard arguments of Mr. Wagh, party in person for nearly one hour. Learned C.P.O. has argued for 30 minutes. Mr. Wagh has also given written arguments. We have reserved this matter for judgment. Applicant in person states that he is sure he would not get justice from this Tribunal as he is not allowed to argue as per written arguments. Be that as it may. Today we have heard this matter. We answered to Applicant that when written arguments are submitted we generally do not allow to argue. However, Applicant being party in person we gave him more than two hours to argue this matter.</p> <p>3. O.A. along with M.As are closed for orders.</p> <p style="text-align: center;">SD/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">SD/- (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">prk</p>

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2024</p> <p>O.A.No.983/2017</p> <p>K.J. Shinde & Ors. .Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officers for the Respondents.</p> <p>2. Learned P.O. seeks time to file affidavit-in-reply to place on record copy of the earlier seniority list published prior to 2017.</p> <p>3. Adjourned to 06.05.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>03.05.2024</u></p> <p align="center"><u>O.A 488/2017</u></p> <p>K.A Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents, Shri M.D Lonkar, learned counsel for the Intervenors/Respondents and Mrs Punam Mahajan, learned counsel for Respondents 22, 26, 41, 42 & 90.</p> <p>2. Learned counsel Mr Lonkar for the intervenors-Respondents who are Respondents No 91 to 106 in the array of the Respondents submit that those Respondents are otherwise senior to the present applicants and if they are promoted to the post of Deputy Secretary, it will not come in the way of the applicants and the private Respondents in this Original Application.</p> <p>3. Learned counsel for the applicants Shri Dere submits that on 19.4.2012 the Respondent-State has prepared the seniority list as on 1.1.2020 and the said list of the officers is in two parts Part 'A' & 'B'. List is 'A' is of the officers who were regularly promoted and there is no dispute about the breaking of the quota. However, the officers shown in list 'B' their regularization and quota are disputed question. The names of the newly added Respondents No 91 to 106 as per order of this Tribunal dated 30.4.2024 are mentioned in list 'B' and thus their seniority is also question.</p> <p>4. Prima facie, it appears that the newly added Intervenors-Respondents 91 to 106 are shown as senior to the present applicants and the Private Respondents. Therefore, the order of stay passed by this Tribunal on 18.4.2024 is modified qua the newly added Respondents 91 to 106 as under:-</p> <p>(a) The Respondent-State may consider and issue orders of promotion of the newly added Respondents 91 to 106 in this Original Application to the post of Deputy Secretary, subject to the outcome of the present Original Application.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>(b) It is made clear that these Respondents shall not claim any equity in the event they are promoted and the Original Application is allowed.</p> <p>(c) The Respondent-State can give promotions to the persons senior to the Respondents 91 to 106 subject to the outcome of this Original Application and the persons promoted who are not party to the present proceedings also shall not claim equity.</p> <p>(d) The Respondent-State should mention the condition that the promotions granted to the Respondents will be subject to the outcome of the present Original Application in the promotion orders of the persons who are promoted.</p> <p>(e) S.O to 18.6.2024. Part Heard.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2024</p> <p>O.A.No.865/2022</p> <p>A.V. GavhaveApplicant Vs. The State of Maharashtra & Ors.Respondents</p> <p>1. Heard Mr. R.M. Kolge, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Suo moto speaking to minutes. In order dated 02.05.2024, at paragraph 3, it is wrongly typed as 'Additional Chief Secretary or Chief Secretary'. Instead it should be read as, 'Assistant Civil Surgeon / Civil Surgeon'.</p> <p>3. Ordered accordingly.</p> <p>4. Adjourned to 18.06.2024.</p> <p>SD/- (Medha Gadgil) Member (A) prk</p> <p>SD/- (Mridula Bhatkar, J.) Chairperson</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><u>03.05.2024</u></p> <p><u>R.A 02/2024 in O.A 1016/2018</u></p> <p>The State of Maharashtra & Ors ... Applicants (Ori Respondents) Vs. C.S Atkar ... Respondent (Ori Applicant)</p> <p>1. Heard Smt K.S Gaikwad, learned P.O for the Applicants (Ori Respondents). None present for the Respondent (Ori Applicant).</p> <p>2. Learned P.O submits that the Review Application is filed by the Respondents seeking review of the order passed by this Tribunal in O.A 1016/2018.</p> <p>3. Learned counsel is directed to show the case law on the point that when an earlier order is passed by Member (J) sitting, then the Review Application cannot be entertained and decided by Member (A) sitting singly.</p> <p>4. Learned counsel for the applicant is directed to remain present on the next date.</p> <p>5. S.O to 11.6.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>03.05.2024</u></p> <p><u>M.A 268/2024 in O.A 207/2023 (Nagpur)</u></p> <p>S.A Patil ... Ori Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant, Mrs K.S Gaikwad, learned P.O for the Respondents and Shri Sandesh Shukla i/b Vivek Patil & Associates, learned counsel for Respondent No. 2 in the Misc Application and original applicant in O.A 207/2023 pending at Nagpur.</p> <p>2. Learned counsel for Respondent no. 2 in M.A 268/2024 and original application in O.A 207/2023 has filed the said Original Application before M.A.T, Nagpur Bench. By order dated 26.3.2024 the Hon'ble Vice-Chairman, M.A.T, Nagpur Bench, transferred the said O.A 207/2023 from M.A.T, Nagpur to M.A.T, Aurangabad Bench.</p> <p>3. Learned counsel for Respondent No. 2 submits that the present Misc Application is not served on him and he seeks time to file reply to the said Misc Application.</p> <p>4. Learned counsel for the applicant is directed to serve copy of the Misc Application on Respondent No. 2 and the learned counsel for Respondent No. 2 is directed to file affidavit in reply.</p> <p>5. S.O to 13.6.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

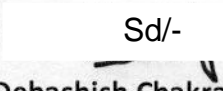
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 03.05.2024</p> <p align="center">O.A. No.717 of 2023 with O.A. No.718 of 2023</p> <p>U.L. Gadage & Ors. B.A. Pawar & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B. Shelke, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant, and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that they have filed 'Affidavit-in-Reply' on behalf of 'Superintendent of Police, Palghar' in O.A. No.717/2023 & O.A. No.718/2023 and thus upon admission be kept for 'Final Hearing'.</p> <p>3. Learned Advocate for Applicant states that Applicants in O.A. No.717/2023 & O.A. No.718/2023 be given liberty to file 'Affidavit-in-Rejoinder' before 'Final Hearing'.</p> <p>4. The O.A. No.717/2023 & O.A. No.718/2023 are accordingly admitted and kept for 'Final Hearing' with liberty to learned Advocate for Applicant to file 'Affidavit-in-Rejoinder'.</p> <p>5. S.O. to 27.06.2024.</p> <p align="right">Sd/-  (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2024</p> <p>O.A.No.359 of 2024 With O.A.No.280 of 2024 (DB-II)</p> <p>A. S. Bandekar & Ors. A. R. Sonune & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. B. Chalak, learned Counsel for the Applicant through video conference and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. S.O. to 09.05.2024. 'Interim Relief' to continue till next date.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 03.05.2024</p> <p align="center">O.A. No.371 of 2024 to O.A. No.378 of 2024 with O.A. No.446 of 2024</p> <p>V.V. Adagale S.S. Suryawanshi S.H. Rokade M.K. Kadam B.S. Mulla D.A. Pawar M.B. Taware H.N. Kakandki A.S. MordeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.G. Kotkar, learned Advocate along with Shri Rahul Raut, learned Advocate for the Applicant and Shri A.J. Chougule and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. files 'Affidavit-in-Reply' on behalf of Respondent No.3 in O.A. No.371/2024. It is taken on record.</p> <p>3. 'Interim Relief' to continue till 'Next Date' only in O.A. No.371/2024.</p> <p>4. S.O. to 10.06.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="left">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 03.05.2024</p> <p align="center">O.A. No.279 of 2024</p> <p>R.A. KshirsagarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks more time to file 'Affidavit-in-Reply' on behalf of 'D.G.P. Maharashtra State'. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. to 12.06.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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
	<p>Date : 03.05.2024</p> <p>O.A.No.591 of 2024 (DB-II)</p> <p>J. S. TokeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. N. Katkar holding for Shri S. S. Raktate, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 09.05.2024. 4. 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. 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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/Miscellaneous 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 / Miscellaneous Application shall stand dismissed. 8. S.O. to 09.05.2024. <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2024</p> <p>O.A.No.26 of 2024 (DB-II)</p> <p>K. D. KaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned PO seeks time to file *Affidavit in Reply.</p> <p>3. S.O. to 14.06.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>vsm</p>

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	<p>Date : 03.05.2024</p> <p>O.A.No.32 of 2024 (DB-II)</p> <p>A. S. MoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned PO has filed 'Affidavit in Reply' on behalf of Respondent No.3. It is taken on record.</p> <p>3. S.O. to 11.06.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 03.05.2024</p> <p>O.A.No.322 of 2024 (DB-II)</p> <p>(Dr.) D. B. OwhalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. D. Patil, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri Sumit Vhanbatte holding for Shri Aditya Raktade, learned Counsel for Respondent No.4.</p> <p>2. S.O. to 14.06.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>vsm</p>