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: 03.12.2019.
	O.A.No.250 of 2019
	G.G. Kamble & OrsApplicants
	Versus
·	The State of Maharashtra & OrsRespondents.
	 The Applicant and his Counsel are absent. Heat Ms S. P. Manchekar, learned Chief Presenting Officer the Respondents.
	2. Pleading is complete. The matter pertains
	Division Bench.
	3. Register is directed to place the matter
	hearing before appropriate bench.
	Sd/-
	(A.P. Kurhekar) Member(J)
	vsm

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

Tribunal's orders

Date: 03.12.2019

O.A.No.1035 of 2019

Dr. P.B. Thakare & Ors.

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents

- Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- Learned C.P.O. for the Respondents seeks time to file reply.
- 3. In the present matter, interim relief to the extent of down grading of AGP was rejected and stay was granted to the extent of recovery only.
- 4. However, today learned Advocate for the Applicant submits that the Applicant is entitled to the interim relief as well as main relief, in view of the decision rendered by this Tribunal in O.A.No.829 of 2015 and O.A.No.830 of 2015 decided on 16.09.2016.
- 5. Learned C.P.O. for the Respondents is therefore directed to bring judgment referred to above to the notice of the Respondents and if the judgment is found applicable to the present case they should take appropriate steps and appraise the Tribunal on next date.
- Two weeks time is granted to learned C.P.O. to consider the aspect referred to above as well as to file reply.
- 7. \$.O. to 17.12.2019.

Sd/-

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

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: 03.12.2019

O.A.No.1088 of 2019

D.U. Sawant & Ors.

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents

- Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- Today learned P.O. has tendered letter dated 02.12.2019 staying that the representation of the applicant is rejected. He, therefore, sought time to file reply on merit.
 - Adjourned to 09.12.2019 with connected matters.

Sd/-

(A.P. Kurhekar) Member(J)

(G.C.P.) J 2959(B) (50,000—3-2017)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

Date: 03.12.2019

O.A.No.337 of 2018

S.G. Jagade

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents

- 1. Heard Shri Y.R. Shah, learned Advocate for the Applicant, Shri S.D. Dole, learned Presenting Officer for the Respondents and Shri S.G. Walharkar, learned Advocate for Respondent No.3.
- 2. Learned Advocate for the Applicant has filed rejoinder. It is taken on record.
- 3. The matter is taken up for final hearing at the stage of admission.
- 4. Adjourned to 07.01.2020.

D.MUT/

Sd/-

(A.P. Kurhekar) Member(J)

[Spl.- MAT-F-2 E.

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

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: 03.12.2019

O.A.No.963 of 2019

A.M. Pujari

Versus
The State of Maharashtra & Ors.

...Applicant

...Respondents

- Heard Shri P. Suryawanshi, learned Advocate holding for Shri G.M. Savagave, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Today learned P.O. for the Respondents has filed affidavit-in-reply on behalf of Respondent No.1 and the same is adopted on behalf of Respondents No.2 and 3.
- 3. Two weeks time is granted for filing affidavit-in-rejoinder.
- 4. S.O. to 01.01.2020.

Sd/-

(A.P. Kurhekar) Member(J)

Original Application No.	of 20 District
	Applicant/s
(Advocate)
	versus
The Stat	e 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 : 03.12.2019
	O.A.No.246 of 2019
	P.K. Bodake Applicant Versus
	The State of Maharashtra & OrsRespondents
	1. He ard Shri G.A. Bandiwadekar, learned Advocate for
	the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	2. Today learned C.P.O. for the Respondents has filed
	affidavit-in-sur-rejoinder on behalf of Respondent No.2 who
	s added during the pendency of O.A. and in respect of
	whom pleadings are made in rejoinder. It is taken on record.
	3. Two weeks time is lastly granted for filing reply to
	the affidavit-in-sur-rejoinder.
	4. S.O. to 17.12.2019.
	Sd/-
	(A.P. Kurhekar)
	Member(J)

ISpl.- MAT-F-2 E.

Original Application No.	of 20 District	
		Applicant/s
(Advocate)	
	versus	
The Sta	te of Maharashtra and others	
THE SOC		espondent/s
(Presenting Officer		opondena :
Office Notes, Office Memoranda of Coran Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	Date: 03.12.2019	
	O.A.No.548 of 2019	
	A.S. BanerjeeApplican	t
	Versus The State of Maharashtra & OrsRespor	ıdents
	1. Heard Shri G.A. Bandiwadekar, learned A	dvocate for
	the Applicant and Ms. S.P. Manchekar, lea	rned Chief
	Presenting Officer for the Respondents.	
	2. Reply as well as sur-rejoinder on	behalf of
	Respondent No.2 is already filed.	
	3. Today learned C.P.O. for the Responder	nts submits
	that there is no need to file separate reply or	n behalf of
	Respondent No.1.	
	4. As the pleadings are complete admitte	d for Final
	hearing.	
	5. S.O. to 08.01.2020.	
	Sd/-	
	(A.P. Kurhekar)	
	Member(J)	

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: 03.12.2019
	O.A.No.337 of 2019
	B.M. DahiphaleApplicant Versus The State of Maharashtra & OrsRespondents
	Heard Shri A.D. Gugale, learned Advocate for the
	Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	2. Today learned Advocate for the Applicant has filed
	additional affidavit and document annexed thereto to
	nature of his appointment. It is taken on record.
	3. Arguments heard. Closed for orders.
	Sd/-
	(A.P. Kurhekar) Member(J)
	prk

(Spl.- MAT-F-2 E.

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: 03.12.2019

M.A.No.658 of 2019 in O.A.No.1173 of 2019

D.D. Muradnar & Ors.

....Applicants.

Versus

The State of Maharashtra & Ors.

...Respondents.

- Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. This is an application for leave to sue jointly.
- 3. Considering the cause of action pursued by the Applicants is common and concurrent, application for leave to sue jointly is allowed subject to Applicants' paying requisite court fees, if not already paid.
- 4. Miscellaneous Application is allowed.

Sd/-

(A.P. Kurhekar) Member(J)

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

Tribunal's orders

Date: 03.12.2019

O.A.No.1173 of 2019

D.D. Muradnar & Ors.

....Applicants.

Versus

The State of Maharashtra & Ors.

...Respondents.

- Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Issue notice before admission returnable on 02.01.2020.
- 3. Applicants are authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.
- 7. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- s. S.O. to 02.01.2020.

Sd/-

1.

(A.P. Kurhekar) Member(J) Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

Date: 03.12.2019

M.A.No.655 of 2019 in M.A.No.258 of 2019 in O.A.No.72 of 2019

O.A.No.72 of 2019 ·....Applicant. R.S. Nile 'ersus ...Respondents. The State of Maharashtra & Ors. Heard Shri A.D. Gugale, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents. O.A.No.72 of 2019 was dismissed in default for non dompliance of conditional order of filing of affidavit of service within three days before returnable date. Learned Advocate for the Applicant submits that due to illness Applicant could not produce the affidavit of service. Except mere words, there is no satisfactory explanation for condonation of delay. However, I am inclined to condone the delay and to restore the O.A. subject to costs of Rs.2,000/- payable in the office within seven days. M.A.No.655/2019 and M.A.No.258/2019 are allowed subject to payment of costs of Rs.2,000/- in the office within seven days. If the cost is paid, O.A. be listed before the Tribunal

Sd/-

(A.P. Kurhekar) Member(J)

rk

for passing further appropriate orders.

ORIGINAL APPLICATION NO.1140 OF 2019 TO ORIGINAL APPLICATION NO.1165 OF 2019

1.	G.M. Gawali	O.A.No.1140/2019	
2.	A.A. Bhabad	O.A.No.1141/2019	
3.	H.H. Lokhare	O.A.No.1142/2019	•
4.	N.S. Kamble	O.A.No.1143/2019	
5	5.N. Khadpe	O.A.No.1144/2019	
6.	K.B. Patil	O.A.No.1145/2019	
7.	A.M. 5hedge	O.A.No.1146/2019	
8.	N.P. Kadam	O.A.No.1147/2019	
9.	S.Y. Kokane	O.A.No.1148/2019	
10.	S.G. Kambli	O.A.No.1149/2019	
11 .	S.R. Pawar	O.A.No.1150/2019	
12.	S.S. Bhosale	O.A.No.1151/2019	
13	O.G. Chavan	O.A.No.1152/2019	
14.	N.V. Gaikwad	O.A.No.1153/2019	
15 .	V.M. Barge	O.A.No.1154/2019	
16	R.S. Choudhari	O.A.No.1155/2019	
17 .	V.M. Thombre	O.A.No.1156/2019	
18.	D.N. Zajam	O.A.No.1157/2019	•
19 .	D.D. Jadhav	O.A.No.1158/2019	
20.	A.K. Palande	O.A.No.1159/2019	
21	P.P. Sandbhor	O.A.No.1160/2019	
22.	P.P. Pambre	O.A.No.1161/2019	
23.	P.L. Mane	O.A.No.1162/2019	
24.	V.V. Pawar	O.A.No.1163/2019	
25.	S.S. Dukhande	O.A.No.1164/2019	
26.	V.R. Sonawane	O.A.No.1165/2019	
		•	Арр

....Applicants

Versus

The State of Maharashtra & Ors.

.....Respondents.

5hri C.T. Chandratre, the learned Advocate for the Applicants.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

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

DATE : 03.12.2019

ORDER

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

- 2. These Original Applications are filed seeking Allowance in terms of Government Resolution dated 22.11.1995. Applicants are seeking Allowance for working in Bomb Detection and Disposal Squad (B.D.D.S.). Allowance has been granted to the Applicants from the date of passing of order. However, Applicants are claiming the allowance from the date of initial working in B.D.D.S. Applicants have also made representation but those are not responded.
- 3. issue notice before admission returnable on 07.01.2020.
- 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- In the meantime, Respondents shall consider the representations made by the Applicants and appraise the Tribunal on next date.
- 10. S.O. to 07.01.2020.

Sd/-

(A.P. Kurhekar) Member (J)

Original Application No.	of 20	District	Applicant/s
(Advocate)		
	versus		
The Stat		itra and others	
			Respondent/s
(Presenting Officer)	Hospondenws
· ·			
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
	Date : 03.12.	2019	
		O.A.No.643 of 2019 (Subject : Transfer)	
	V.R. Rajput	(Subject : Hansiel)	Applicant
	Versus The State of i	Maharashtra & Ors.	Respondents
		Shri K.R. Jagdale, learned	
		d Shri A.J. Chougule, learned	Presenting Officer
	for the Respo	ndents.	
	2. The	present O.A. is filed for	limited relief for
		the Respondent No.2, Co	
		Applicant's representations	
		19 to transfer him en the ch	noices given by him
	in representa	uons.	
	ľ	ed Advocate for the A p plica	
		icant was transferred by th	-
		2019 on the ground of havi	- ,
		as Circle Officer. He has f	·
		vision of transferring Seni	
		competing there two years	
•	1	.995 is set aside by this Tribu 0/2017, Aurangabad Distr	_
		of Maharashtra decided on 0	_
	,	agraph 16 of the judgmen	t, Tribunai held as
	para : (Anne.	declared that, tenure af 2 y 3 af the Government decision x.A-1) stands implied repea nure of Awwal Karkoons &	on dtd. 21.11.1995 aled/ modified and

be governed by provisions af Transfer Act, 2005."

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

Tribunal's orders

- 5. As such the very foundation for the transfer of the applicant is not available with the Respondents, in view of the decision in O.A.No.300 of 2017.
- 6 In view of the above, Respondent No.2 is required to consider the representation of the applicant and to pass appropriate order.
- 7 For the aforesaid reasons, O.A. is disposed of with direction to the Respondent No.2 to consider the representations dated 03.06.2019 and 25.06.2019 of the applicant and shall pass appropriate orders thereon within six weeks from today.
- 8. Decision as the case may be shall be communicated to the Applicant within a week thereafter.
- If Applicant feels, he may avail further legal remedy in accordance with law.

Sd/-

(A.P. Kurhekar) Member(J)

Original Application No.	of 20	. District	Applicant/s
(Advocate)		
	versus		
The Sta	te 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	
	Pate : 03.12.201	19	
	· ·	O.A.No.1172 of 2019	•
	Þr. S.K. Walinjka	ar	Applicant
	Versus The State of Ma	harashtra & Ors.	Respondents
	1 Heard S	hri M.V. Thorat, learne	d Advocate for the
	Applicant and		ar, learned Chief
	1	er for the Respondents.	·
	2. Learned	Advocate for the Applic	cant is seeking stay
	l .	ed order dated 27.09.20	
		ne Applicant's case is so	
	the decision r	rendered by the Hoi	n'ble High Court,
	Aurangabad Be	nch in Writ Petition	No.6261 of 2017
	Vaishali B. B	hagwat & Ors. Vers	us The State of
	Maharashtra & (Ors.) decided on 26.04.2	019.
	3. Learned	C.P.O. for the Responde	ents seeks two days
	time to find ou	it whether the facts in	present case are
	similar to the fac	cts in Writ Petition NO.62	261 of 2017.
	 Issue n 9.12.2019. 	otice before admission	on returnable on
	5. Applican	t is authorized and dir	ected to serve on
	kespondents in	timation/notice of dat	e of hearing duly
	authenticated by	y Registry, along with co	mplete paper book
	•	dents are put to notice t	
	be taken up fo	r final disposal at the	stage of admission
1	hearing.		

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

Tribunal's orders

- 6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 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.
- 8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice.
- 9. in case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
- 10. Issue of interim relief is kept open.

11. **5.**O. to 09.12.2019.

Sd/-

(A.P. Kurhekar) Member(J)

Original Application No.	of 20	DISTRICT Applicant/
(Advocate)	
, , , , , , , , , , , , , , , , , , ,	versus	
The State	e of Maharashtra and othe	ers
(Presenting Officer		Respondent/
·		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Trib Date: 03.12.2019	unal's orders
		lo.944 of 2019 ect : Transfer)
	M.S. Jawanjal-Patil	Applicant.
	Versus The State of Maharashtra	& OrsRespondents.
	1. Heard 5hri A.V. Ba	ndiwadekar, learned Advocate for
	the Applicant and Shri A	A.J. Chougule, learned Presenting
	Officer for the Responden	ts.
	2. In the present O.	A. Applicant has challenged the
	transfer order dated	13.09.2019 whereby he was
	transferred from the p	ost of Assistant Commissioner
	(Drug), Kolhapur to	Assistant Commissioner (Drug)
	Bhandara on administrativ	e grounds.
	3. The Tribunal has	granted interim relief by order
		noticed that there is no approval
·	ŀ	licant from Hon'ble Chief Minister
	being competent authori	ty for such mid-term and mid-
	tenure transfer.	
	4. At the time of gra	nt of interim relief, learned P.O.
	had tendered file noting, f	•
	5. On perusal of file	e it was noticed that the Civil
	·	mended transfer the Applicant to
	1	approved by the Hon'ble Chief
	Minister. However, lat	er on the ground of serious
	complaint against the App	licant pertaining to functioning at
	Kolhapur posting was cha	anged from Sangli to Bhandara.

But no approval is taken from Hon'ble Chief Minister while

posting at Bhandara.

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

Tribunal's orders

- 6. As such the transfer was made without obtaining approval of the Hon'ble Chief Minister who is competent authority as contemplated under Section 4(5) of the Transfer Act 2005. This aspect was not disputed by the learned P.O.
- 7. Till date enough chances are granted for filing reply but no reply is filed.
- 8. As such there seems to be no ground for Respondents to resists application in view of the material legal defect surfaced on record i.e. non approval to the impugned transfer order by the competent authority as mandated by Section 4(5) of the Transfer Act 2005.
- 9. This being the decision, there is no point to keep the matter pending as till date no remedial measures are taken by the Respondents.
- 10. For the aforesaid reasons, there is no alternative, except to confirm the interim relief granted by the Tribunal on 25.02.2018.
- 11. Impugned transfer order dated 13.09.2019 is quashed and set aside. O.A. is accordingly disposed of.

Sd/-

(A.P. Kurhekar) Member(J)

Original Application No.	of 20	DISTRICT	A
(Advocate)		Applicant/s
(Advocate	versus	•	
	The State of Maharash	ntra and others	
			Respondent/s
(Presenting Officer		***************************************	
Office Notes, Office Memorand Appearanca, Tribunal's or directions and Ragistrar's	ders or	Tribunal's orders	

03.12.2019

C.A 43/2019 in O.A 315/2017

... Applicant Shri S.N Salunke

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

- Heard Shri K.R Jagdale, learned advocate for the applicant and Ms S.P Manchekar, learned C.P.O for the Respondents.
- The learned C.P.O submits that the matter has been decided by Hon. High Court on 29.11.2019. She further submits that the uploaded copy would be produced on 10.12.2019.
- S.O to 10.12.2019.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J)

(P.N Dixit) Vice-Chairman (A)

Akn

[Spl.- MAT-F-2 E.

Original Application No. of 2	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
	03.12.2019
!	O.A 1171/2019
	Shri S.A Bale Applicant
	Vs. The State of Maharashtra & Ors Respondents
	Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri S.D Dole, learned P.O for the Respondents.
	2. The Respondents are directed to intimate progress regarding the appeal made on 11.2.2019. The learned P.O is directed to bring to the notice of the Respondents and brief this Tribunal on 10.12.2019.
	3. S.O to 10.12.2019. Hamdast and steno copy is granted.
	Sd/- (A.P. Kurhekar) Member (J) Akn Sd/- (P.N Dixit) Vice-Chairman (A)

Original Application No.	of 20	Dis	TRICT
Original Application 110.			Applicant/s
(Advocate)		
	versus		
The Stat	te of Mahar a shtr	a and others	
, 222			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	,	Tribunal's o	rders
· · · · · · · · · · · · · · · · · · ·	03.12.2019		
		O.A 1170/20	<u>19</u>
	1. Heard advocate for earned P.O for 2. At the applicant adjument in 3. S.O to	Vs. Maharashtra & Ors Maharashtra & Ors Shri A.V Ban the applicant and or the Respondents. Trequest for the lead journed to 5.12.20 In the prayer clause 0.5.12.2019.	arned advocate for the
	Sd/- (A.P. Kurh Member (J	ekar)	(P.N Dixit) Vice-Chairman (A)

Original Application No. o	of 20	DISTRICT	Applicant/s
Advocate)		
	versu s	•	
The State	of Maharash tr a a	nd others	•
			Respondent/s
(Presenting Officer)	
Office Notes, Office Mamoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
	03.12.2019	•	
	<u>C.</u>	A 49/2019 in O.A 37	78/2019
	Dr S.A Koli	Vs. Maharashtra & Ors	Applicant Respondents
	1. Heard	d Shri U.V Bhosle, le t and Smt K.S Gaikw	earned advocate for wad, learned P.O for
	adjourned to	ned P.O submits that o next week so that R on action in the matter	espondents can take
	3. At he	er request adjourned t	o 11.12.2019.
	Sd/		Sd/
	(A.P. Kur Member		(P.N ^l Dixit) Vice-Chairman (A)

Original Application No.	of 20	DISTRICT	
)		Applicant/s
(Advocate			
	versi	18	
Т	he State of Mahar	ashtra and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Appearance, Tribunal's orde directions and Registrar's o	ers or	Tribunal's orders	
			•

03.12.2019

M.A 631/2019 in O.A 991/2018

The State of Maharashtra & Ors

... Applicants (Ori Respondents)

Vs. Mr A.S Kamble & Others

... Respondent (Ori Applicant)

- Heard Shri A.J Chougule, learned P.O for the Applicants (Ori Respondents) and none for the Respondent (Ori Applicant).
- At the request of learned P.O, adjourned to 2. 11.12.2019 for keeping this Tribunal informed about the progress made in the case.
- S.O to 11.12.2019.

(P.N Dixit) Vice-Chairman (A)

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

O.As. No.971, 972 & 973 of 2019

R.P. Gaikwad & Ors.

(OA.971/19)

A.L. Suryawanshi & Ors.

(OA.972/19)

S.S. Shelar & Ors.

(OA.973/19) ...Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

- Ld. PO seeks three weeks time to file reply. Ld. 2. Advocate for the applicants opposes the same.
- 3. S.O. to 19.12.2019.

7

Sd/-

Sd/-

(A.P. Kurhekar) Member (J)

(P.N. Dixit)

3.12.2019

Vice-Chairman (A) 3.12.2019

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

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

O.A. No.969 of 2019

R.D. Avhad

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Ms. S.P. Applicant present in person. Manchekar, learned Chief Presenting Officer for the Respondents.

- Ld. CPO seeks two weeks time to file reply. 2.
- S.O. to 19.12.2019. 3.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019

(P.N. Dixit) Vice-Chairman (A) 3.12.2019

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

of 20

ΙN

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

O.A. No.782 of 2019

S.B. Yeole

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri Pradeep Rane, learned Advocate holding for Shri A.A. Gharte, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. At the request of Ld. CPO adjourned to 17.12.2019.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019

(P.N. Dixit) Vice-Chairman (A) 3.12.2019

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application 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

O.A. No.574 of 2019

B.P. Nagamwar

..Applicant

Vs.

The State of Maharashtra & Ors.

. Respondents

Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. At the request of Ld. CPO adjourned to 10.12.2019.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019 (P.N. Dixit) Vice-Chairman (A) 3.12.2019

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

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, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders

O.A. No.552 of 2019

R.A. Bhise

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

- Shri S.S. Dere, learned Advocate files Vakalatnama and rejoinder on behalf of applicant and the same is taken on record.
- Ld. PO seeks one weeks tine to take instructions as to whether respondent no.3 proposes to file reply.
- S.O. to 18.12.2019.

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019

(P.N. Dixit) Vice-Chairman (A) 3.12.2019

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

Date: 03.12.2019

O.A.No.733 of 2019 with M.A.No.506 of 2019 With M.A.No.410 of 2019 in O.A.No.733 of 2019

M.R. Rathod (O.A.733/2019 with M.A.506/2019) V.G. Giri (M.A.410/2019 with O.A.733/2019)

...Applicants

Versus
The State of Maharashtra & Ors.

...Respondents

- 1. Heard Shri Talekar & Ors., learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri S.S. Dere, learned Advocate holding for Shri Bhandare, learned Advocate for the Respondent.
- 2. In the present O.A. Applicant has challenged the Government Resolution dated 22.04.2019 and obviously the matter pertains to Division Bench. The office has wrongly listed it before the Single Bench instead of listing it before Division Bench.
- 3. Registrar to look into it and place it before Division Bench.

Sd/-

(A.P. Kurhekar)
Member(J)

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

of 20

IN

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

O.A. No.3 of 2018

R.T. Kale

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

Reply is already filed. Admit. To corne up for final hearing in due course with liberty to file rejoinder, if any.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019

(P.N. Dixit) Vice-Chairman (A) 3.12.2019

(sgi)

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

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	Tribunal's orders
directions and Registrar's orders	·

O.A. No.578 of 2019

S.S. Kamble & Ors.

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

- 2. Ld. CPO submits that she has not received any instructions for filing affidavit in reply from respondent no.4. Respondent No.4 was given last chance on 21.11.2019. Respondent no.4 is directed to file reply before 10.12.2019 failing which it will be presumed that respondent no.4 do not want to file reply.
- 3. S.O. to 10.12.2019. Hamdast.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J)

3.12.2019

(P.N. Dixit) Vice-Chairman (A)

3.12.2019

(G.C.P.) J 2959(B) (50,000—3-2017)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

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ΙN

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

M.A. No.501 of 2019 in O.A. No.836 of 2018

S.R. Mane & Ors.

.. Applicants

And

U.K. Survade & Ors.

..Original

Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri O.M. Kulkarni, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

- MA No.501 of 2019 is for impleading applicants in the OA. At the request of Ld. Advocate for the applicants MA be heard along with OA after four weeks.
- Ld. Advocate for the applicants is directed to satisfy this Tribunal about the criteria regarding similarity of pay scale as laid down by the Hon'ble Supreme Court.
- S.O. to 16.1.2020. 4.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J)

3.12.2019

(P.N. Dixit) Vice-Chairman (A)

3.12.2019

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

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

MA.654/19 in MA.554/19 in OA.998/19

S.R. Kumbhar

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri Rajaram Deshmukh, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

- MA No.654 of 2019 is filed for restoring MA No.554 of 2019 along with OA No.998 of 2019 which was dismissed in view of conditional order dated 7.11.2019.
- Ld. Advocate for the applicant is directed to deposit a 3. cost of Rs.2000/- in the office of this Tribunal.
- MA No.544 of 2019 along with OA No.998 of 2019 is restored to file, subject to payment of cost. MA No.654 of 2019 is disposed off accordingly.

V

Sd/-

Sd/-

(A.P. Kurhekar) Member (J)

Vice-Chairman (A)

3.12.2019

3.12.2019

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

M.A. No.474 of 2019 in O.A. No.862 of 2019

D.K. Gunjal

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondent No.1

- 2. Shri M.D. Lonkar, learned Advocate files Vakalatnama on behalf of respondent no.2.
- 3. Ld. CPO files replies in MA as well as OA on behalf of respondent no. 1 and the same are taken on record.
- 4. S.O. to 8.1.2020.

n Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019 Sd/-

(P.N. Dixit) Vice-Chairman (A) 3.12.2019

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

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

of 20

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Original Application No.

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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

M.A. No.569 of 2019 in O.A. No.925 of 2017

D.K. Gunjal

.. Applicant

Vs.

The State of Maharashtra & Ors.

.. Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondent No.1 to 6, Shri M.D. Lonkar, learned Advocate for Respondents No.7, 11, 15, 19, 21, 24, 26, 31, 42, 52, to 55 and Ms. Suchita J. Pawar, learned Advocate for Respondent No.43.

- Ld. Advocate for the applicant tenders brief notes on maintainability to the Court and supplies copy to Ld. CPO and Ld. Advocates for private respondents.
- Ld. CPO and Ld. Advocate for private respondents seeks two weeks to time to file reply.
- S.O. to 8.1.2020.

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Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019

Sd/-

(P.N. Dixit) Vice-Chairman (A)

3.12.2019

(Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

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FARAD CONTINUATION SHEET No.

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

Tribunal's orders

O.A. No.453 of 2019

S.T. Patil

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri S.D. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

At the request of Ld. Advocate for the applicant adjourned to 16.1.2020.

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019

(P.N. Dixit) Vice-Chairman (A) 3.12.2019

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

O.A. No.1019 of 2019

G.S. Kumawat

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

- Ld. PO seeks two weeks time to file reply. The 2. respondents are directed to file short affidavit regarding para 7.5 of OA and clarify the position while filing reply.
- S.O. to 19.12.2019. 3.

Sd/-

Sd/-

(A.P. Kurhekar) Member (J) 3.12.2019

(P.N. Dixit) Vice-Chairman (A)

3.12.2019

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

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

of 20

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Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

O.A. No.1017 of 2019

S.M. Jawale

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri A.D. Gugale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

- Ld. CPO produces a communication 2. 26.11.2019 promoting the applicant on ad hoc basis. The same is taken on record and marked 'X' for identification.
- Ld. Advocate for the applicant seeks permission to withdraw the above OA. OA is allowed to be withdrawn and disposed off as such.

Sd/-

(A.P. Kurhekar) Member (J)

(P.N. Dixit) Vice-Chairman (A)

3.12.2019

3.12.2019

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

[Spl.- MAT-F-2 E.

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

O.A. No.1016 of 2019

S.C. Deshmukh & Ors.

.. Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

- Ld. Advocate for the applicant submits that 2. erroneously he had mentioned earlier on the last occasion that Aurangabad Bench of the Hon'ble High had passed the order. Today he submits that as per instructions the matter in the High Court is placed on 10.12.2019 for hearing.
- Ld. CPO is directed to take instructions and inform this Tribunal when the process of holding fresh DPC is likely to be conducted.
- In view of the above, adjourned to 18.12.2019.

Sd/-

(A.P. Kurhekar)

Member (J) 3.12.2019

(P.N. Dixit) Vice-Chairman (A)

3.12.2019

Presenting Officer)	Responder
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's ord	ers
	Date: 03.12.2019	
•	O.A.No.643 of 20 (Subject : Transfe	
	V.R. Rajput Versus	Applicant
	The State of Maharashtra & Ors.	Respondents
	1. Heard Shri K.R. Jagdale, lear	ned Advocate for the
	Applicant and Shri A.J. Chougule, lear	
	for the Respondents.	The state of the s
	2. The present O.A. is filed f	or limited rollof fo
	direction to the Respondent No.2,	
	decide the Applicant's representation	
	and 25.06.2019 to transfer him en the	
	in representations.	e choices given by fill
	3. Learned Advocate for the App	
	that the Applicant was transferred by	the impugned order
	dated 31.05.2019 on the ground of h	aving completed two
	years tenure as Circle Officer. He ha	s further pointed out
	that the provision of transferring S	enior Clerk or Circle
	Officer after competing there two years	ears in terms of G.R.
	dated 21.11.1995 is set aside by this Tr	ribunal at Aurangabad
	in O.A.No.300/2017, Aurangabad Di	strict Talathi, Sangh
	Versus State of Maharashtra decided o	n 04.04.2018.

follows:-

"It is declared that, tenure of 2 years prescribed in para 3 of the Government decision dtd. 21.11.1995 (Annex.A-1) stands implied repealed/ modified and the tenure of Awwol Karkaons & Circle Officers will be governed by provisions of Transfer Act, 2005."

In paragraph 16 of the judgment, Tribunal held as

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

Tribunal's orders

- As such the very foundation for the transfer of the 5. applicant is not available with the Respondents, in view of the decision in O.A.No.300 of 2017.
- In view of the above, Respondent No.2 is required to consider the representation of the applicant and to pass appropriate order.
- For the aforesaid reasons, O.A. is disposed of with direction to the Respondent No.2 to consider the representations dated 03.06.2019 and 25.06.2019 of the applicant and shall pass appropriate orders thereon within six weeks from today.
- Decision as the case may be shall be communicated 8. to the Applicant within a week thereafter.
- If Applicant feels, he may avail further legal remedy 9. in accordance with law.

Sd/-

(A.P. Kurhekar) Member(J)

Priginal Application No.	of 20	DISTRICT	
		Applicant	
.dvocate)		
	versus		
The State	e of Maharashtra and others		
		Respondent	
Presenting Officer)		
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribur	al's orders	
	03.12.2019		
	O.A 1131/2019		
	Shri M.A Kadam	Applicant	
	Vs. The State of Maharashtra 8	ors Respondents	
		ninde, learned advocate for	
	the applicant and Ms S.P for the Respondents.	Manchekar, learned C.P.O	
	2. During the hearing	g, learned advocate for the	
	applicant submits that he has not filed appeal in the		
	matter before the appellate	authority.	
	3. On instructions fr	om the applicant, learned	
	advocate for the applicant proposes to withdraw the		
	O.A at this stage.		
	4. Accordingly, permit	ted to withdraw the O.A.	
	5. O.A stands dispose	d of as withdrawn.	
	Sd/-	Sd/-	
	(A.P. Kurhekar) Member (J)	(P.N Dixit) Vice-Chairman (A)	
	Akn		

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DISTRICT