

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.03.2022</p> <p align="center">O.A.No.892 of 2021</p> <p>S.B. KharatApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Sweta Tripathi, learned Advocate holding for Mr. A.S. Deshpande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to 15.03.2022. Interim relief to continue till next date.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A.572/2021 with M.A.325/2021</u></p> <p>A.N. Bhagat ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Dr. S. Sadavarte, learned Advocate for the Applicant, Mrs. K.S. Gaikwad, learned P.O. for Respondent Nos.1 & 2, Mr. A.S. Gaikwad, learned Advocate for Respondent No.3 and Shri R.D. Patil, learned Advocate for Respondent No.4.</p> <p>2. In this matter, the Applicant who is serving as Talathi at Jalgaoneur, District Nashik has challenged her transfer order dated 09.08.2021 whereby she is transferred to Kondhar, Tal. Nandgaon, District Nashik. The Applicant has challenged the transfer order <i>inter-alia</i> contending that she is entitled to 6 years' tenure. This Tribunal granted interim relief in favour of the Applicant.</p> <p>3. Today, when the matter is taken up for hearing, Shri Sadavarte, learned Advocate for the Applicant has pointed out subsequent material development that Applicant's request for inter-district transfer to Washim District is in process. She had claimed transfer to Washim District on the ground that her husband is serving at Washim. The learned Advocate for the Applicant has tendered letter dated 03.01.2022 issued by Collector, Washim which shows that Collector, Nashik has made correspondence with Collector, Washim about the acceptance of inter-district transfer and in response to it, the Collector, Washim had shown readiness to accept the proposal since one post of the said reserved category is vacant. By the letter dated 03.01.2022, the Collector, Nashik is requested to take further necessary steps with specific mention that this NOC will remain in valid for 3 months only.</p> <p>4. In view of above, learned Advocate for the Applicant submits that O.A. be disposed of with direction to Respondent No.1 – Collector to pass further appropriate orders for relieving the Applicant in terms of proposed inter-district transfer.</p>

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5. Learned P.O. submits that appropriate orders be passed.

6. In view of above, this O.A. is disposed of with direction to Respondent No.1 – Collector to pass further appropriate orders in the matter of inter-district transfer of the Applicant in the light of letter of Collector, Washim dated 03.01.2022. Necessary orders to that effect shall be passed within a month from today and it be communicated to the Applicant. Till then, interim relief shall continue.

8. M.A.325/2021 which was filed to vacate interim relief in view of above stands disposed of. Steno-copy granted.

Sd/-

(A.P. Kurhekar)
Member-J
04.03.2022

(skw)

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Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate

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..... Respondent/s

(Presenting Officer.....)

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	<p><u>O.A.573/2021 with M.A.327/2021</u></p> <p>M.P. Igave ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Dr. S. Sadavarte, learned Advocate for the Applicant, Mrs. K.S. Gaikwad, learned P.O. for Respondent Nos.1 & 2 and Mr. A.S. Gaikwad, learned Advocate for Respondent No.3.</p> <p>2. In the present case, the Applicant has challenged transfer order dated 09.08.2021 whereby she was transferred from the post of Talathi, Saigaon, Tal. Yeola, District Nashik to Kasari, Tal. Nandgaon, District Nashik. The Applicant claims to be entitled for 6 years' tenure, and therefore, challenge the transfer order inter-alia contending that it is mid-term and mid-tenure transfer. She was granted interim relief by the Tribunal, and therefore, continued at Saigaon, Tal. Yeola.</p> <p>3. When the matter is taken up for hearing, it is transpired that as per Applicant's claim of 6 years' tenure, she would be completed 6 years' tenure on 19.07.2022. Whereas, learned P.O. and learned Advocate for Respondent No.3 have pointed out that this Tribunal in O.A.No.575 to 578/2021 decided with bunch of O.As decided on 13.01.2022 held that the tenure of 6 years in terms of 1st proviso to Section of 'Transfer Act 2005' is not as of vested right.</p> <p>4. Now leaving aside the aspect as to whether Applicant is entitled to 6 years' tenure or 3 years' tenure. The fact remains that she is completing even 6 years' tenure soon.</p> <p>5. Shri Sadavarte, learned Advocate for the Applicant fairly stated that Applicant is willing to be transferred from the present post even in general transfers scheduled in May, 2022 and she be given opportunity to give options, so that she can be transferred at appropriate place in accordance to Rules.</p> <p>6. Learned P.O. also concedes to this submission.</p>

Office Notes, Office Memoranda of Coram,
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7. In view of above, O.A. is disposed of with direction that Applicant shall make representation for transfer giving her options in general transfers of 2022 and Respondent No.2-SDO shall consider it in accordance to Rules. The decision shall be communicated to the Applicant. Till the decision of representation in pursuance of general transfer orders of 2022, interim relief shall continue.

8. M.A.327/2021 which was filed to vacate interim relief in view of above stands disposed of.

9. No order as to costs.

Sd/-
(A.P. Kurhekar)
Member-J
04.03.2022

(skw)

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	<p>Date: 04.03.2022</p> <p align="center">O.A. No.812 of 2021</p> <p>P.G. SoudeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Due to paucity of time, adjourned for hearing. 3. Interim relief to continue till next date. 4. S.O. to 29.03.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.03.2022</p> <p>O.A. No.405 of 2021</p> <p>A.P. AndhereApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri V.P. Potbhare, learned Advocate for the Applicant has sent leave note.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. Learned P.O. sought permission to file Affidavit-in-Reply on behalf of Respondent No.2. Matter is already proceeded without Reply on behalf of Respondent No.2. However, in the interest of justice permission is granted to file Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>4. Since the copy of this was already supplied to the Applicant's counsel he had already filed Rejoinder.</p> <p>5. O.A. be kept for Final Hearing.</p> <p>6. S.O. to 01.04.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


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	<p>Date: 04.03.2022</p> <p align="center">O.A. No.337 of 2018</p> <p>S.G. JagadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Shah, learned Advocate holding for Shri Y.R. Shah, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed in default on 03.09.2020 but it is restored in view of order passed in M.A. No.69/2022 & M.A. No.08/2022 today.</p> <p>3. O.A. therefore be kept for hearing at the stage of admission.</p> <p>4. S.O. to 17.03.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.03.2022</p> <p align="center">M.A. No.69 of 2022 in M.A. No.08 of 2022 in O.A. No.337 of 2018</p> <p>S.G. JagadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Shah, learned Advocate holding for Shri Y.R. Shah, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.As. are filed for condonation of delay and for restoration of O.A. No.337/18 which was dismissed in default on 03.09.2020.</p> <p>3. Learned Advocate for the Applicant submit that due to COVID-19 Pandemic situation and lockdown there was restriction on travel, and therefore the Applicant as well as counsel who are from Pune were not able to attend the Tribunal. She has further pointed out that Hon'ble Supreme Court in Suo Moto action extended the period of limitation caused on account of Pandemic situation.</p> <p>4. There is no denying that when the matter was dismissed there was COVID-19 Pandemic situation and lockdown, there was restriction on travel. I am therefore, inclined to condone delay and restore O.A. so as to decide on merit.</p> <p>5. M.As are accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p>NMN</p>

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	<p>Date: 04.03.2022</p> <p align="center">M.A. No.88 of 2022 in M.A. No.89 of 2022 in O.A. No.593 of 2021</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus Dr. A.K. Jagtap (Org. Appl.)Resps.</p> <p>1. Heard Smt. Archana B.K., learned Presenting Officer for the Applicants (Org. Respondents) and Shri J.S. Deshmukh, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. O.A. was disposed of by this Tribunal on 07.10.2021 giving direction to the Respondent to pass final order in D.E. and ensure completion of pension papers within three months from the date of the order. M.A. No.88/2022 & M.A. No.89/2022 are filed for Condonation of delay and extension of time respectively.</p> <p>3. The perusal of order dated 07.10.2021 passed by this Tribunal reveals that there was D.E. initiated against the Applicant in which enquiry office submitted report in 2009, but no further orders were passed. The Applicant stands retired from service on 31.12.2020. Even after retirement no further steps were taken to release retiral benefits, and therefore he approached this Tribunal. It is on this background O.A. was disposed of with direction to pass appropriate order in D.E. and ensure completion of pension papers and to release withheld retiral benefits, if entitled within three months from the date of the order.</p> <p>4. Learned P.O. submits that matter is referred to the Government and it is pending for necessary orders, and therefore sought time for implementation of the order.</p>

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	<p>5. As stated above, enquiry officer submitted report in D.E. in 2009 but even till retirement no decision was taken in D.E. Later, the Applicant approached this Tribunal and O.A. came to be disposed of by necessary direction as stated above.</p> <p>6. Despite this position even till date no final order is passed in D.E. and the Applicant is deprived of his service benefits for long time. The laxity and negligence on the part of the Original Respondents is explicit in the present matter. I am therefore not inclined to grant further time.</p> <p>7. Both these M.As. are dismissed with no order as to costs.</p> <p>8. Original Applicant is at liberty to initiate contempt proceedings against the Respondents.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.03.2022</p> <p align="center">O.A. No.57 of 2021</p> <p>H.R. DevaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.M. Katkar, learned Advocate holding for Shri S.R. Ghanavat, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. has sought permission to file Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. 3. Reply on behalf of Respondent No.4 was filed much earlier. 4. Adjourned for hearing at the stage of admission with liberty to file Rejoinder in advance. 5. S.O. to 01.04.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date : 04.03.2022</p> <p style="text-align: center;">M. A. No.90 of 2021 in O.A.No.164 of 2021</p> <p>R. B. Pingle ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. These M.A. and O.A. are adjourned from time to time awaiting the decision of Respondent No.1 on the proposal dated 08.06.2021 forwarded by the office of Director General of Police. 3. Perusal of letter reveals that the Director General of Police requested the Government to issue the guidelines in the matter of fixation of pay in terms of Rule 11(1) of Maharashtra Civil Services (Pay) Rules 1981. It is further noticed from the letter that there is no consistency on this issue as the departments are adopting contrary stand in the matter so request was made to issue instructions / guidelines so as to have uniformity about fixation of pay throughout the Maharashtra. 4. Today, learned P.O. on instructions submits that the Home Department had forwarded proposal to Finance Department and it is in process. 5. In view of above, the Respondent No.1 is directed to take appropriate decision on the proposal dated 08.06.2021 within a month from today without fail and the decision shall be made available to the Tribunal by next date. 6. S.O. to 29.03.2022. <p style="text-align: right; margin-right: 50px;">Sd/-</p> <p style="text-align: right; margin-right: 50px;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: right; margin-right: 50px;">[P.T.O.]</p>

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	<p>Date: 04.03.2022</p> <p align="center">O.A. No.147 of 2022</p> <p>A.J. ShaikhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Shri A.B. Rajkar, learned Advocate for the Applicant has sent leave note. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply. S.O. to 21.03.2022. <p align="right">Sd/- w (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

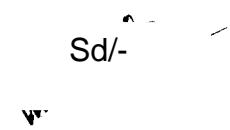
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	<p>Date: 04.03.2022</p> <p align="center">O.A. No.76 of 2022</p> <p>B.K. NaraleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Lengary Y.B., learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 15.03.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.03.2022</p> <p align="center">O.A. No. 1189 of 2019 with O.A. No.461 of 2020</p> <p>D.J. AmbilwadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.J. Ambilwade, Applicant-in-Person along with Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Shri S.S. Dere submits that today he is filing Vakalatnama on behalf of the Applicant and requested for time to argue the matter.</p> <p>3. Both these O.As. be kept for Final Hearing.</p> <p>4. S.O. to 25.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 04.03.2022</p> <p align="center">O.A.No.571 of 2021 with M. A. No.323 of 2021</p> <p>A. S. ThoolApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Dr. Gunratan Sadavarte, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent, Smt. Bhavana Dubepatil, learned Counsel for Respondent No.3 and Shri A. S. Gaikwad, I earned Counsel for the Intervener in M.A.No.323/2021.</p> <p>2. In this O.A. , the Applicant has challenged the transfer order dated 09.08.2021. However, learned P.O. has pointed out that subsequently the Applicant has been suspended from service by order dated 27.09.2021, and therefore, O.A. has become infructuous.</p> <p>3. M.A.No.323/2021 was filed to vacate interim relief granted in favour of the Applicant by the Tribunal.</p> <p>4. Learned Counsel for the Applicant fairly stated that since the Applicant is suspended, O.A. has become infructuous and be disposed of.</p> <p>5. In view of above, O.A.No.571/2021 is disposed of being infructuous. Consequently M.A.No.323/2021 is also disposed of.</p> <p>6. Interim relief stands vacated.</p> <p>7. No order as to costs.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p align="right">[P.T.O.]</p>

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	<p>Date: 04.03.2022</p> <p align="center">O.A. No.29 of 2022</p> <p>M.V. ShriraoApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. On request of learned P.O. on week time is granted to file Affidavit-in-Reply of remaining Respondent, if any.</p> <p>4. S.O. to 11.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date: 04.03.2022</p> <p>O.A. No.1013 of 2021</p> <p>R.V. GarjeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate holding for Smt. P.H. Hendre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 11.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.03.2022</p> <p style="text-align: center;">O.A. No.829 of 2021</p> <p>S.S. KuwarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. 3. On previous date also Applicant and his Advocate both were absent but time was granted to file M.A. in terms of order passed by the Tribunal earlier on 28.10.2021. This O.A. has been filed without filing an Application for condonation of delay and noticing the same time was granted to file M.A. However, no step is taken to file M.A. The Applicant and his Advocate are continuously absent. 4. In view of above O.A. is dismissed in default and being barred by limitation. 5. No order as to costs. <p style="text-align: right; margin-right: 20px;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="margin-top: 20px;">NMN</p>

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	<p>Date: 04.03.2022</p> <p>O.A. No.779 of 2021</p> <p>S.S. KadamApplicant VersusRespondents. The State of Maharashtra & Ors.</p> <p>1. Heard Ms. Pooja Mankoji, 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. Enough chances are granted for filing Affidavit-in-Reply but the same is not filed. Hence, I am not inclined to grant further time.</p> <p>3. O.A. be kept for hearing at the stage of admission without Reply.</p> <p>4. S.O. to 25.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 04.03.2022

M.A. No.125 of 2022 in O.A. No.163 of 2022

D.Y. Ghadage & Ors.Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri D.W. Bhosale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Issue notice in M.A. before admission returnable on 01.04.2022.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Miscellaneous Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Miscellaneous Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 01.04.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 04.03.2022</p> <p>M.A. No.581 of 2021 in O.A. No.1081 of 2021</p> <p>S.S. SutarApplicant VersusRespondents. The State of Maharashtra & Ors.</p> <p>1. Heard Shri S.M. Katkar, learned Advocate holding for Shri S.R. Ghanavat, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent to M.A. It is taken on record.</p> <p>3. Adjourned for hearing on 25.03.2022.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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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
	<p>Date: 04.03.2022</p> <p>M.A. No.521 of 2021 in O.A. No.932 of 2021</p> <p>S.R. ArteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri R.M. Kolge, learned Advocate for the Applicant has sent leave note.</p> <p>2. Smt. Archana B.K., learned Presenting Officer for the Respondent is present.</p> <p>3. In view of leave note adjourned to 25.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 04.03.2022

M.A. No.116 of 2022 in O.A. No.191 of 2022

M.P. ShindeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. This M.A. is filed to condone delay of 2 years and 4 months caused in filing O.A.
3. Issue notice before admission returnable on 01.04.2022.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Miscellaneous Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Miscellaneous Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. S.O. to 01.04.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 04.03.2022</p> <p style="text-align: center;">O.A. No.153 of 2022</p> <p>R.G. SaindaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule., learned Presenting Officer for the Respondents.</p> <p>2. In O.A. the Applicant has challenged communication dated 30.08.2021 rejecting the claim of the Applicant for certain service benefits of her deceased husband who died while discharging duties in some incident stating that G.R. dated 06.02.2009 is not applicable to her.</p> <p>3. Whereas, learned Advocate for the Applicant submits that the relevant G.R. applicable to the facts and circumstances of the matter is 29.11.2008 but the claim of the Applicant is wrongly rejected.</p> <p>4. Issue notice before admission returnable on 16.03.2022.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>6. 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p style="text-align: right;">[PTO.]</p>

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

Tribunal's orders

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. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. S.O. to 16.03.2022.

Sd/-

v-
(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.551 OF 2020**

Pratap R. Shinde & 13 Ors. ..Applicants
Versus
The Secretary, MPSC & Anr. ..Respondents

Shri S.S. Dere – Advocate for the Applicants
Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
Smt. Medha Gadgil, Member (A)
DATE : 4th March, 2022
PER : Smt. Justice Mridula Bhatkar, Chairperson

OPERATIVE PART OF THE ORDER

The Original Application No.551 of 2020 is dismissed.

Sd/-

(Medha Gadgil)
Member (A)
4.3.2022

Sd/-

(Mridula Bhatkar, J.)
Chairperson
4.3.2022

Dictation taken by: S.G. Jawalkar.

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

Tribunal's orders

Date: 04.03.2022

O.A. No.188 of 2022

S.P. KalgutkarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri S.P. Kalgutkar, Applicant-in-person and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 01.04.2022.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 01.04.2022.

Sd/-

✓
(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 04.03.2022</p> <p align="center">O.A. No.162 of 2022</p> <p>M.A. InamdarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.W. Bhosale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that after filing of this O.A. on 15.02.2022 the Applicant expired, and therefore he want to take necessary instruction about legal heirs of the deceased.</p> <p>3. Two weeks time is granted to take necessary steps.</p> <p>4. S.O. to 21.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 04.03.2022</p> <p align="center">O.A. No.1134 of 2017</p> <p>M.L. PendumApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri R.M. Kolge, learned Advocate for the Applicant has sent leave note.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondent is present.</p> <p>3. In view of leave note adjourned to 16.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 04.03.2022</p> <p align="center">O.A. No.749 of 2019</p> <p>V.G. DavariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri R.M. Kolge, learned Advocate for the Applicant has sent leave note.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondent and Shri M.V. Thorat, learned Advocate for the Respondent No.2 are present.</p> <p>3. In view of leave note adjourned to 11.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date : 04.03.2022

O.A.No.158 of 2022

S.B. KobalkarApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Supriya Rathod, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 29.03.2022.
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 in view of this present COVID-19 Pandemic situation. 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. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. Applicant to serve the copy of O.A. to the office of C.P.O. and concerned Respondents.
8. Adjourned to 29.03.2022.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 04.03.2022</p> <p align="center">O.A.No.96 of 2022 with M.A.No.61 of 2022</p> <p>S.Y. KambleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Prashant Nayak, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is a legal head brief and therefore Registry is directed to serve the copy of this M.A. and O.A. to the office of C.P.O. and also extra copy to be given to the C.P.O. which is to be given to the concerned Department.</p> <p>3. The learned Advocate seeks leave to amend the title of the O.A.</p> <p>4. Leave granted. Amendment be carried out forthwith and amended copy be served to all concerned.</p> <p>5. Adjourned 08.04.2022.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>