

**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><u>04.04.2022</u></p> <p align="center"><u>O.A 306/2015</u></p> <p>Shri R.D Kamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Chandan Singh i/b Shri Hemand Ghadigaonkar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned advocate Mr Chandan Singh and the applicant are both present.</p> <p>3. The issue involved in this matter is very short. The applicant working as a Driver claims that he has worked as Driver with the Respondent-Department from July, 2007 and thereafter for 7 years from July, 2012. However, he worked with a hope that he would get Government job. Therefore, he attended the duty of the Excise Officer as and when he was called, especially for the purpose of raid and inspection.</p> <p>4. We have come across the log book for two years from 13.7.2007 to 25.7.2009 (pages 24 and 209 of the O.A). However, if at all further entries of the log book are shown by the learned counsel for the applicant, they are also be taken into account by the learned P.O. So also, there is a Certificate issued by the Respondent-Department dated 17.1.2014 for the period 13.7.2007 to 16.12.2013.</p> <p>5. Learned P.O is directed to take instructions accordingly about the payment made by the Department to the applicant-Driver.</p> <p>6. S.O to 7.4.2022 at 11.30.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p><u>04.04.2022</u></p> <p style="text-align: center;"><u>C.A 129/2015 in O.A 142/2015</u></p> <p>Dr S.S Deshpande ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.P Nalavade, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the Respondents have deposited an amount of Rs. 7,80,560/- towards full and final payment on 31.3.2022.</p> <p>3. Learned counsel for the applicant submits that the litigation is of 23 years and the matter is pending since 2015. The Tribunal has passed orders in the year 2011 and so also in the year 2015.</p> <p>4. Learned counsel for the applicant submits that the Respondents be called upon to give break-up of the amount which is paid under what heads so that it will be easy for the applicant to understand under what heads he is being paid.</p> <p>5. S.O to 18.4.2022.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>04.04.2022</u></p> <p align="center"><u>O.A 306/2015</u></p> <p>Shri R.D Kamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Chandan Singh i/b Shri Hemand Ghadigaonkar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned advocate Mr Chandan Singh and the applicant are both present.</p> <p>3. The issue involved in this matter is very short. The applicant working as a Driver claims that he has worked as Driver with the Respondent-Department from July, 2007 and thereafter for 7 years from July, 2012. However, he worked with a hope that he would get Government job. Therefore, he attended the duty of the Excise Officer as and when he was called, especially for the purpose of raid and inspection.</p> <p>4. We have come across the log book for two years from 13.7.2007 to 25.7.2009 (pages 24 and 209 of the O.A). However, if at all further entries of the log book are shown by the learned counsel for the applicant, they are also be taken into account by the learned P.O. So also, there is a Certificate issued by the Respondent-Department dated 17.1.2014 for the period 13.7.2007 to 16.12.2013.</p> <p>5. Learned P.O is directed to take instructions accordingly about the payment made by the Department to the applicant-Driver.</p> <p>6. S.O to 7.4.2022 at 11.30.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>O.A. No.860 of 2017 with M.A. No.588 of 2021</u></p> <p>Sharad S. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Purva Pradhan holding for Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant has filed a Praecipe dated 1.4.2022 for speaking to minutes of the order dated 25.3.2022 passed in the above matter.</p> <p>3. Ld. Advocate submits that in para 2 line 5 the words, "Executive Engineer, P.W.D., Chiplun" is to be corrected as "Controller of Rationing and Director of Civil Supplies, Maharashtra".</p> <p>4. Ld. CPO submits to the order of the Court.</p> <p>5. Order be corrected accordingly. Praecipe disposed off accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 4.4.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</p> <p>(sgj)</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"><u>O.A. No.295 of 2022</u></p> <p>Madhuri B. Shelar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants states that in the advertisement dated 9.1.2019 for the post of Police Sub Inspector the criteria for selection process has been changed in the midway. He refers to general guidelines for students i.e. published by respondent no.2-MPSC dated 29.10.2016. Guidelines are changed by respondent no.2 on 15.3.2021.</p> <p>3. Ld. Advocate for the applicants relied on the judgment of the Hon'ble Supreme Court in (2008) 3 SCC 724 Madam Mohan Sharma & Anr. Vs. State of Rajasthan & Ors. He also relied on the order dated 30.3.2022 passed by the Aurangabad Bench of this Tribunal in OA No.282 of 2022 (Kedar S. Garad & Anr. Vs. State of Maharashtra & Ors.) wherein it is stated that:</p> <p><i>"2. It is the case of the applicants that the selection condition/criteria has been changed midstream during the selection process. Learned Chief Presenting Officer has sought time for filing affidavit in reply.</i></p> <p><i>3. It is the contention of the applicants that the list of candidates eligible for recommendation has been published and the respondents are likely to issue the order of appointments on the basis of the said recommendation. Learned counsel, in the circumstances, has prayed for interim order restraining the respondents from making appointments on the basis of the list of candidates eligible for recommendation published on 25.3.2022.</i></p>

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	<p><i>On such request made by the learned counsel appearing for the applicant, learned C.P.O. submitted that till filing of the affidavit in reply by the respondents, no appointments will be made by the respondents, though recommendation list has been declared.</i></p> <p>4. <i>In view of the aforesaid statement made by the learned C.P.O., we need not to pass any formal interim order as has been prayed by the learned counsel appearing for the applicants."</i></p> <p>4. In view of the above, we direct the MPSC to consider the case of the applicants in accordance with the order passed by the Hon'ble Supreme Court in <i>Madan Mohan Sharma</i> (supra), within one week.</p> <p>5. S.O. to 11.4.2022</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A) 4.4.2022</p> <p>(sgj)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson 4.4.2022</p>

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	<p align="center">O.A.No.479 of 2021</p> <p>C. S. ManeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondent.</p> <p>2. The Applicant has challenged transfer order dated 05.07.2021 whereby he is transferred from Miraj City Police Station to Kokrud Police Station on the ground of default report.</p> <p>3. Today, when the matter is taken up for hearing, learned Counsel for the Applicant sought permission to withdraw the O.A. with liberty to make representation to the Respondent to consider his request for transfer to Miraj or right any other nearer place on the ground of family difficulties of medical treatment to his son Adarsh who is suffering from Epilepsy, education of sons and illness of parents.</p> <p>4. Learned Counsel for the Applicant states that Applicant would be completing one year at Kokrud Police Station and wants to make representation to Superintendent of Police, Sangali.</p> <p>5. In view of above, allowed to withdraw O.A. with liberty to make representation which shall be considered by Superintendent of Police, Sangali appropriately.</p> <p>6. O.A. is accordingly disposed off with no order as to cost.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 04.04.2022</p> <p align="center">O.A. No.221 of 2020</p> <p>S.V. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri L.K. Kalel, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed in default on 22.03.2022.</p> <p>3. However, today in view of order passed in M.A. No.179/2022, the order passed in O.A. No.221/2020 of dismissal is restored.</p> <p>4. O.A. be kept for hearing at the stage of admission with specific instruction to learned Advocate for the Applicant to remain present on the date of hearing without fail.</p> <p>5. S.O. to 21.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p align="center">M.A. No.602 of 2021 in O.A. No.1061 of 2021</p> <p>B.G. KardeApplicant 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. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder in M.A. It is taken on record. 3. This M.A. be kept along with connected M.A. No.119/2022 in O.A. 195/2022. 4. On request of learned P.O. time is granted to file Affidavit-in-Reply in M.A. No.119/2022 in O.A. 195/2022. 5. S.O. to 19.04.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p align="center">O.A. No.168 of 2022</p> <p>R.V. BhandareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 20.04.2022.</p> <p align="right">Sd/- ▼ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p align="center">M.A. No.508 of 2021 in O.A. No.849 of 2021</p> <p>S.N. ThakurApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Smt. Anjali Kolapkar, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Respondent Nos.2 & 3.</p> <p>2. On request of learned Advocate for Respondent Nos.2 & 3, shortly adjourned for hearing of M.A.</p> <p>3. S.O. to 20.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p align="center">M.A. No.123 of 2022 in O.A. No.816 of 2021</p> <p>K.S. BirajdarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply to M.A.</p> <p>3. S.O. to 19.04.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date: 04.04.2022</p> <p align="center">O.A. No.299 of 2022</p> <p>R.B. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged suspension order dated 10.11.2021 issued by Respondent – The Commissioner, Food and Drugs Administration. 3. Learned Advocate for the Applicant sought to place reliance on the judgment rendered by this Tribunal in O.A. No.281/2020, Shri Satish S. Hake v/s. The Commissioner to contend that the Commissioner, Food and Drugs Administration is not competent authority to suspend the Applicant. 4. Learned P.O. sought time to confirm the finality of the decision rendered by this Tribunal in O.A. No.281/2020 and therefore requested for adjournment. 5. Issue notice before admission returnable on 18.04.2022. 6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 7. 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 align="right">[P.T.O.]</p>

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	<p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. 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.</p> <p>10. 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.</p> <p>11. S.O. to 18.04.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 04.04.2022</p> <p align="center">O.A.No.1013 of 2021</p> <p>R. V. GarjeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Savita Suryawanshi holding for Smt. Prachi Hendre, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, learned P.O. sought permission to file reply. 3. Allowed to file reply to decide the matter on merit. 4. The matter is adjourned for hearing at the stage of admission. 5. S.O. to 22.04.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 04.04.2022</p> <p align="center">O.A.No.1000 of 2018</p> <p>L. G. LonkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit in Rejoinder. It is taken on record.</p> <p>3. Argument heard.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 04.04.2022</p> <p align="center">O.A. No.224 of 2021</p> <p>B.N. SatheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. S.O. to 26.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p>O.A. No.153 of 2022</p> <p>R.G. SaindaneApplicant 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. Today matter is for filing Affidavit-in-Reply on behalf of Respondent Nos.2 & 3 but the same is not filed. 3. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record. 4. Adjourned for hearing at the stage of admission. 5. S.O. to 26.04.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p>O.A. No.159 of 2022</p> <p>D.S. RasamApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 11.04.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p align="center">O.A. No.126 of 2022</p> <p>V.S. Yadav & 3 Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two days time is granted to file Affidavit on behalf of Shri Vishwas N. Patil, in view of order passed by the Tribunal on 28.03.2022.</p> <p>3. S.O. to 06.04.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 04.04.2022</p> <p style="text-align: center;">O.A. No.104 of 2022</p> <p>D.R. ChavareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today matter is for filing Reply. However, learned P.O. has tendered office order dated 17.03.2022 issued by Respondent No.2 – Superintendent Engineer, Pune Irrigation Circle thereby appointing the Applicant on the post of Chowkidar, the order is taken on record and marked by letter 'X'. 3. Learned Advocate for the Applicant submits that in view of recommendation of Lad Page Committee, appointment to the Applicant ought to have been on the post of Safi Kamgar and not Chowkidar. 4. Whereas, as per learned P.O. at present there is no post of Safi Kamgar in the staffing pattern, and therefore appointment is made on the post of Chowkidar. 5. Learned Advocate for the Applicant sought one week time to taken instruction from the Applicant as to whether she is satisfied with the post of Chowkidar. 6. S.O. to 11.04.2022. <p style="text-align: right; margin-right: 50px;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: right; margin-right: 50px;">[PTO.</p>

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	<p>Date: 04.04.2022</p> <p>O.A. No.1023 of 2021</p> <p>A.T. IngawaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today O.A. is for filing Affidavit-in-Reply on behalf of Respondent No.2 but no Reply is filed.</p> <p>3. Last chance was granted on previous date, and therefore I am not inclined to grant further time.</p> <p>4. O.A. be kept for hearing at the stage of admission.</p> <p>5. S.O. to 25.04.2022.</p> <p>Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</p> <p align="center">M.A. No.182 of 2022 in O.A. No.829 of 2021</p> <p>S.S. KuwarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.D. Gaikwad, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. O.A. No.829/2021 was dismissed in default on 04.03.2022.</p> <p>3. Learned Advocate for the Applicant submits that he was held up in traffic, and therefore could not attend the Tribunal when the matter was called for hearing. He therefore requested to restore the O.A.</p> <p>4. For the reason stated above, order of dismissal of O.A. No.829/2021 is recalled and is restored.</p> <p>5. M.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 04.04.2022</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. Heard Shri P.D. Gaikwad, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This O.A. was dismissed in default on 04.03.2022. 3. However, today in view of order passed in M.A. No.182/2022, O.A. No.829/2021 is restored. 4. On request of learned P.O. two weeks time is granted for filing Reply to O.A. 5. S.O. to 20.04.2022. <p style="text-align: right; margin-top: 20px;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center; margin-top: 20px;">NMN</p>

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	<p>Date: 04.04.2022</p> <p style="text-align: center;">M.A. No.179 of 2022 in O.A. No.221 of 2020</p> <p>S.V. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri L.K. Kalel, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M.A. is filed to restore O.A. No.221/2020 which was dismissed in default on 22.03.2022. 3. O.A. No.221/2020 which was filed for appointment on compassionate ground, but it was dismissed in default. 4. In the interest of justice O.A. is restore for decision on merit. 5. M.A. is accordingly disposed of with no order as to costs. <p style="text-align: right; margin-right: 50px;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center; margin-top: 20px;">NMN</p>

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	<p align="center"><u>O.A. No.67 of 2021</u></p> <p>S.K. Titar (Datir) ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files rejoinder.</p> <p>3. Admit.</p> <p>4. S.O. to 29.4.2022 for final hearing.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 4.4.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</p>

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	<p align="center"><u>O.A. No.243 of 2022</u></p> <p>D.P. Pathare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Prasad Warkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. No select list is to be published till reply is filed.</p> <p>3. S.O. to 7.4.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 4.4.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</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.300 of 2022</u></p> <p>Shubham J. Sawant ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadelkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 6.4.2022. Respondents waive notice. Parties to exchange judgments. To be heard along with OAs. No.203/2022, 167/2022, 144/2022, 145/2022 & 146/2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would 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. 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.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 4.4.2022</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</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.301 of 2022</u></p> <p>Sandip D. Shinde & 4 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadelkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 6.4.2022. Respondents waive notice. Parties to exchange judgments. To be heard along with OAs. No.203/2022, 167/2022, 144/2022, 145/2022 & 146/2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would 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. 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.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 4.4.2022</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.288 of 2022</u></p> <p>Milind V. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant has filed a Praecipe dated 1.4.2022 for speaking to minutes of the order dated 31.3.2022.</p> <p>3. Ld. Advocate for the applicant submits that the Bench has orally directed on 31.3.2022 to the respondents to open the sealed cover. However, it is not appearing in the order. We have fixed the matter on 28.4.2022 as per our order dated 31.3.2022. We prepone the matter and keep it on 18.4.2022, so that respondents may take necessary action according to law and inform the progress in the matter.</p> <p>4. S.O. to 18.4.2022.</p> <p align="center">Sd/- _____ (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 4.4.2022 4.4.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.620 of 2021</u></p> <p>H.B. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. Interim relief to continue.</p> <p>4. S.O. to 4.5.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 4.4.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.297 of 2021</u></p> <p>S.B. Kemkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply and rejoinder are filed.</p> <p>3. Admit.</p> <p>4. S.O. to 14.6.2022 for final hearing. <u>High on Board.</u></p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 4.4.2022 4.4.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.237 of 2022</u></p> <p>L.G. Dalvi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, 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 4.5.2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would 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. 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.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 4.4.2022 (sgl)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</p>

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	<p align="center"><u>O.A. No.296 of 2022</u></p> <p>Smt. Minaj A. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. By the present OA the applicant seeks directions to the respondents to hear and decide her pending appeal dated 23.9.2021 against the order of dismissal from service dated 11.8.2021. Ld. Advocate for the applicant submits that appeal was to be decided within six months and the statutory limitation period ended on 23.3.3022. However, appeal has not yet been decided. Ld. Advocate submits that now hearing of the appeal is fixed on 7.4.2022.</p> <p>3. Ld. PO submits to the orders of the court.</p> <p>4. We direct the Commissioner, State Excise, Mumbai-Respondent, to decide the pending appeal dated 23.9.2021 of the applicant within a period of four weeks from the date of this order and communicate the decision to the applicant within a week thereafter. OA disposed off accordingly.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 4.4.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</p>

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	<p align="center"><u>O.A. No.140 of 2020</u></p> <p>V.G. Rokde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and his Advocate are absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed on 11.2.2022.</p> <p>3. Admit.</p> <p>4. S.O. to 13.6.2022 for final hearing with liberty to file rejoinder, if any.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 4.4.2022 4.4.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.298 of 2022</u></p> <p>Manoj M. Mhetre ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant seeks interim relief to send the applicant for Armourer Basic Training at Pune, which commences from 4.4.2022.</p> <p>3. Ld. PO relies on GR dated 26.10.1966 regarding sending persons to the Armourer's Training School, SRPF, Group-I, Pune. Ld. PO, on instructions from Shri T.M. Chaure, Police Inspector and Shri S.D. Thombre, Assistant Sub-Inspector, submits that after 2018 nobody other than Police Constable have been sent for training.</p> <p>4. Ld. Advocate for the applicant relies on <u>the order dated 20.6.2018 passed by the Aurangabad Bench of this Tribunal in OA No.391 of 2018 (Shri Umesh A. Bundele Vs. State of Maharashtra & Ors.)</u>. In this case applicant voluntarily sought demotion to become qualified for the training and the matter was disposed off with a direction to the concerned respondent to consider the case of the applicant sympathetically for the next training program of Basic Armed Training Session Program No.48.</p> <p>5. The applicant from 2005 to 2012 was working as a Police Constable, which is the time he was eligible to go for training. However, he does not raise any objection when he was not sent. Ld. Advocate for the applicant submits that on the ground of parity the applicant should be sent for training as in the past Naik and Assistant Sub-Inspectors have been sent for this training.</p> <p>6. Ld. PO, on instructions, states that no Assistant Sub-Inspector has been sent for this training till today and they</p>

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	<p>have stopped sending other than Police Constable for training.</p> <p>7. However, we feel that the applicant is not eligible for the said training in view of GR dated 26.10.1966. The preamble of the said GR reads as under:</p> <p style="text-align: center;"><i>"An Armourer School was started at the SRPF Gr.1, Poona in June 1963 with the object of training a sufficient number of Police Constables in the repairs and maintenance of Arms at the initial stage and subsequently to hold Refresher Courses and Courses for the training of new recruits. The first phase of the training has been completed and since April 1965, Refresher Courses had been started at the School. In this connection, attention is invited to GRs. HD, No.TEX-1962/43338-V dated 24.5.1963 and No.TEX-1962/43338-V dated 31.3.1965."</i></p> <p>8. Though in the GR the wording "Arourer's Training to Policemen w.e.f. 1.11.1966" is mentioned but it has to be read in context with the preamble of the said GR which restricts to training of Police Constable only. Hence, the prayer for interim relief is rejected.</p> <p>9. S.O. to 8.6.2022.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 4.4.2022</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 4.4.2022</p> </div> </div> <p>(sgj)</p>