

**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 : 04.07.2023</p> <p style="text-align: center;">O.A.No.762/2023</p> <p>V.H. Bharti & Ors.Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks interim relief as the Applicants have been served with show cause notice of reversion from the post of Assistant Superintendent to the post of Senior Clerk.</p> <p>3. In view that the case of the Applicants No.3 and 4 who were reverted from the post of Senior Clerk to Junior Clerk is different than the Applicants No.1, 2 and 5 were reverted by order dated 08.06.2023 from the post of Assistant Superintendent to the post of Senior Clerk, we take up the case of Applicants No.1, 2 and 5 in this O.A.</p> <p>4. Learned Advocate has submitted that he will file separate O.A. for the Applicants No.3 and 4.</p> <p>5. Applicants have filed the explanation to the show cause notice on 30.06.2023 to consider the G.R. Respondents to consider Clause 4 of the G.R. dated 07.05.2021. We direct the Respondent to appoint a responsible officer to answer the queries about Clause 4 of the said G.R.</p> <p>6. Adjourned to 06.07.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/- (Medha Gadgil Member (A)</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p>O.A.No.771/2023</p> <p>U.S. RathodApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. V.K. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Applicant, Junior Engineer (PWD) challenges seniority list dated 15.06.2023 issued by the Respondent no.1 for the cadre of Junior Engineer (Civil) qua the placement of the applicant which is shown at Sr. No.775, instead of 495A i.e. in between Sr. No.495, Mr. P.M. Dhonge and Sr. No.496, Mr. Rajesaheb M. Agale. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 01.08.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed. 9. Adjourned to 01.08.2023. <p style="text-align: right;">Sd/- _____</p> <p style="text-align: center;">Sd/- /</p> <p style="text-align: center;">(Medha Gadgil Member (A)</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

**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
	<p>Date : 04.07.2023</p> <p align="center">R.A.No.17/2022 in O.A.No.200/2020</p> <p>M.P. JamadarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard applicant in person and Mr. A.J. Chougule learned Presenting Officer for the Respondents.</p> <p>2. Applicant seeks time to furnish addresses of the Respondents.</p> <p>3. Adjourned to 18.07.2023.</p> <p align="center">Sd/- _____ (Medha Gadgil Member (A)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p align="center">M.A.No.499/2022 in O.A.No.31/2022 with O.A.No.648/2023</p> <p>Y.B. WaghApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant in person in M.A.No.499/2022 in O.A.No.31/2022 is absent. Heard Mr. S.S. Dere, learned Advocate for the Applicant in O.A.No.648/2023 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Dere has submitted that O.A.No.648/2023 is to be separated from M.A.No.499/2022 in O.A.No.31/2022. He states that O.A.No.648/2023 is already adjourned to 11.07.2023.</p> <p>3. M.A.No.499/2022 in O.A.No.31/2022 is adjourned to 10.07.2023.</p> <p align="center">Sd/- (Medha Gadgil Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p>M.A.No.7/2023 in O.A.No.96/2021</p> <p>Dr. M.M. Mahind & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Kranti L.C., learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time.</p> <p>3. Time granted. Interim relief to be continued till next date. Adjourned to 07.07.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">Sd/-</p> <p>(Medha Gadgil Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p align="center">O.A.No.89/2023</p> <p>S.P. KolteApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. M.D. Lonkar, learned Advocate for the Respondent no.3</p> <p>2. At the request of learned Advocate Mr. Lonkar adjourned to 18.07.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil Member (A))</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p align="center">O.A.No.713/2023</p> <p>K.D. Khandare & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.N. Rajpurohit, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Applicant working as Archivist in the office of Directorate of Archives, Elphinstone College Premises, Mumbai has submitted that the advertisement was issued pursuant to the Rules of the year 1966 and not of the year 2013. As per the Rules of the year 2013, 50% posts are to be filled up by promotion and 50% to be filled up by way of recruitment. Applicant is not being considered through promotee quota. Learned Advocate has submitted that he has claimed on the promotional post. Learned Advocate has submitted that since last six years not a single person is promoted.</p> <p>3. Learned P.O. seeks time to file affidavit.</p> <p>4. We need to see the Rules of 2013. It appears that the rules of 2013 which are produced by learned Advocate are only draft Rules. Learned C.P.O. is directed to confirm the position.</p> <p>5. Adjourned to 18.07.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil Member (A)</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p>

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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
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Date : 04.07.2023

O.A.No.759/2023

R.K. KanningdhvajApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. U.V. Bhosle, learned Advocate for the Applicants and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. Adjourned to 05.07.2023 for hearing on interim relief. To be placed under the caption 'For Urgent Admission'.

Sd/-

(Medha Gadgil
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 04.07.2023

O.A.No.761/2023 with M.A.No.428/2023

Dr. S.K. Singh & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Adjourned to 05.07.2023. To be placed under the caption 'For Urgent Admission'.

Sd/-

(^{V.S.}Medha Gadgil
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p align="center">M.A.No.429/2023 in O.A.No.762/2023</p> <p>V.H. Bharti & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. M.A. is filed by five Applicants, but however we find that the case of the Applicants No.3 and 4 who were reverted from the post of Senior Clerk to Junior Clerk is different than the Applicants No.1, 2 and 5 were reverted from the post of Assistant Superintendent to the post of Senior Clerk.</p> <p>3. This is an application for leave to sue jointly.</p> <p>4. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>5. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>6. M.A. is allowed quo Applicants No.1, 2 and 5.</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
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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 : 04.07.2023</p> <p style="text-align: center;">O.A.No.752/2023</p> <p>P.T. JagtapApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant working as Additional Commissioner Labour retired on 31.07.2006 and by memorandum of charge dated 15.09.2001, the D.E. was instituted and which was terminated into report of Enquiry Officer on 07.12.2019. Respondent issued show cause notice dated 04.03.2022 to the Applicant directing him to show cause as to why 25% pension should not be permanently reduced from his retiral dues. The Applicant gave his explanation/ reply on 28.04.2022. However, no final decision has been taken in the matter.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 11.07.2023.</p> <p>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p>

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

Tribunal's orders

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

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

9. Adjourned to 11.07.2023. To be placed under the caption 'For Urgent Admission'.

Sd/-

(Medha Gadgil
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
	<p style="text-align: center;"><u>O.A. No.258 of 2023</u></p> <p>D.P. Varpe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 25.7.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 4.7.2023</p> <p>(sgj)</p>

**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
	<p align="center"><u>O.A. No. 491 of 2022</u></p> <p>R.K. Hiranani & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants seeks time to file MA.</p> <p>3. S.O. to 11.7.2023.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 4.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1261 of 2022</u></p> <p>R.P. Deshmukh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time to file MA for amendment.</p> <p>3. S.O. to 11.7.2023.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 4.7.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 04.07.2023

O.A.No.355/2016

K.P. PatilApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.

2. Applicant, Executive Engineer challenges seniority list dated 29.01.2015 qua his seniority where he is shown at Sr. No.165 and it is prayed that his seniority is to be fixed by the deemed date of appointment as 01.12.1993. The final seniority list dated 20.05.2015 is also challenged and it is to be set aside to the extent of ranking the Applicant at Sr. No.296 and his date of promotion to the post of Executive Engineer is to be declared as 03.02.2003 and not 14.06.2010.

3. At the request of learned Advocate adjourned to 05.07.2023.

Sd/-

Sd/-

Medha Gadgil
**(Medha Gadgil
Member (A))**

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

prk

**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">04.07.2023</p> <p>R.H Shinde</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply. Same is taken on record.</p> <p>3. S.O to 11.7.2023.</p> <p>Akn</p>	<p align="center">O.A 540/2023</p> <p align="right">... Applicant</p> <p align="right">... Respondents</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p>

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

Tribunal's orders

04.07.2023

O.A 786/2023

Ayub Gulab Pathan ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. The applicant working as Shop Inspector, Grade-A in the office of the Assistant Commissioner of Labour, Solapur is transferred by the impugned order dated 23.6.2023 to Jalna, where one Mr V.P. Patil is already transferred and posted by Respondent no. 1 by order dated 18.5.2023. Therefore, it was not possible for the applicant to go to report at Jalna.

3. Learned counsel for the applicant submits that he has served all the Respondents.

4. Learned counsel for the applicant submitted that the applicant was transferred and posted by order dated 26.2.2021 as Shop Inspector, Grade-I in the office of Assistant Commissioner of Labour, Solapur. Learned counsel for the applicant submits that the transfer order is mid-tenure and there was no proposal of his transfer and it was not placed before the Civil Services Board and nor approval from the higher authority is obtained. Learned counsel for the applicant submitted that the competent authority in this case is the Minister of Labour in consultation with the Principal Secretary, and the next higher authority is the Hon'ble The Chief Minister. Learned counsel further submitted that along with order dated 23.6.2023 the applicant challenges the order dated 3.7.2023 passed by Respondent no. 2. Learned counsel for the applicant further submits that the order dated 3.7.2023 is illegal as it is an arbitrary exercise of powers by the Respondents. Learned counsel for the applicant submits that the applicant is not relieved

5. Learned P.O informs that Shri Rohan G. Rumale, Assistant Commissioner of Labour, from the office of Commissioner of Labour, Mumbai is present. A question is put to the learned P.O whether such action of transfer is justified in law.

6. Learned P.O submits that she seeks time to produce the record to show the legality of both the orders.

7. Considered the submissions made by learned counsel for the applicant. In view of the objections raised by him, it is necessary to hear the Respondents.

8. In view of the above, parties to maintain status quo as on today at 3.00 pm

9. S.O to 5.7.2023. Hamdast.

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders 04.07.2023
	<p align="center"><u>O.A 702/2023</u></p> <p>Smt Mosammi Barde-Chougule ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 25.7.2023. Interim relief, if any to continue till then.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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

Tribunal's orders

04.07.2023

O.A 784/2023

R.T Shinde ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant Shri A.J Chougule, learned P.O for the Respondents.

2. Applicant working as Sub-Divisional Water Conservation Officer in the office of Soil & Water Conservation Sub Division, Surgana, Dist-Nasik, challenges the impugned order dated 3.7.2023 whereby the applicant is transferred without posting.

3. Learned counsel for the applicant submits that the applicant was posted on promotion by order dated 17.4.2023 as Sub-Divisional Water Conservation Officer in the office of Soil & Water Conservation Sub Division, Surgana, Dist-Nasik. Learned counsel further submitted that the applicant has taken charge of the said post on 24.4.2023. Now by the impugned order dated 3.7.2023 the Respondent-State has modified the order of transfer and Respondent no. 2 is allowed to work on the said post in place of the applicant at Soil & Water Conservation Sub Division, Surgana, Dist-Nasik, for a period of one year. It is mentioned in the order that separate order of transfer of the applicant will be issued. Learned counsel further submitted that the applicant is not aware where Respondent no. 2 was earlier posted before the impugned order was passed. Learned counsel for the applicant further submitted that Respondent no. 2 was repatriated to his parent department as per G.R dated 31.7.2017 regarding repatriation of Government servants.

4. Learned counsel on instructions from the applicant who is present in the Court submits that Respondent no. 2 till today has not taken charge and the applicant is not relieved officially and he has not handed over the charge.

5. In view of the above, parties are directed to maintain status quo as on today at 2.45 pm. Learned P.O is directed to communicate this order to Respondent no. 1.

6. S.O to 5.7.2023. Hamdast.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

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>04.07.2023</p> <p><u>M.A 328/2023 in O.A St. No 216/2023</u></p> <p>A.A Kulaye ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri Kiran Mohite, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. It appears that the applicant wants one party to be added as party to the Original Application as applicant. 3. Hence, such order can be passed by the same bench. 4. Learned counsel for the applicant is directed to move the application before the Aurangabad Bench. 5. Mis Application disposed of accordingly. <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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

Tribunal's orders

Date ~~04.7~~.2023

C. A. No.5 of 2023 in O.A.No.914 of 2022

Dr. K. D. Dayal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.


1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed affidavit of Shri Milind Mhaskar, Additional Chief Secretary on behalf of contemnor Shri Sanjay Khandare, Principal Secretary stating that Shri Khandare transferred on 03.05.2023.
3. The Tribunal by order dated 13.12.2022 directed the Respondent No.1 to take decision on the representation made by the Applicant for releasing increments and also to take decision in leave matter.
4. Learned Counsel for the Applicant fairly concedes that the decision in leave matter is already taken and it is treated as extra ordinary leave.
5. However, his grievance remains about the decision of releasing increments, on which point, the affidavit is totally silent.
6. We have gone through the affidavit ^{we} ~~and~~ noticed that there is no whisper about the decision on the point of increment.
7. There is compliance of order in respect of leave only.
8. On request of learned P.O., two days' time is granted to apprise the Tribunal about the decision, if any, taken in the matter of increment.
9. S.O. to 06.07.2023.

Sd/-

(Debashish Chakrabarty)
Member(A)

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
	<p>Date : 04.07.2023</p> <p>O.A.No.772/2023</p> <p>K.R. KambleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant wants to be appointed as Assistant Public Prosecutor pursuant to advertisement dated 07.01.2022. Applicant's candidature is rejected on the ground of age bar.</p> <p>3. Learned Advocate has submitted that the Applicant has applied in S.C. Category wherein the age limit is prescribed as 43 years as per Clause 7.2 of the advertisement. Learned Advocate has submitted that as per Clause 7.2.4 of the advertisement there is mention of G.R. dated 17.12.2021. The said G.R. states that the candidates who are age barred during the period from 01.03.2020 till 17.12.2021 are to be considered as eligible and that period is entitled by G.R. dated 03.03.2023 by which the age limit is extended from 43 years to 45 years for S.C. Category. The advertisement, which is dated 07.01.2022 is prior to G.R. is dated 03.05.2023.</p> <p>4. Learned Advocate states that he has served all the Respondents. Copy of affidavit of service is also placed on record. Learned Advocate states the interviews are fixed on 05.07.2023. He presses for interim relief that the Applicant be allowed to appear for the interview.</p> <p>5. Adjourned to 05.07.2023. To be placed under the caption 'For Urgent Admission'.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil Member (A))</p> <p style="text-align: right;">Sd/- </p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date : 04.07.2023

O.A.No.543/2023

Wahul V.N. & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Not on board. Taken on board vide circulation Note dated 04.07.2023.

3. Adjourned to 10.07.2023 for hearing on interim relief.

Sd/-


Sd/-

(Medha Gadgil
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p>O.A.No.682/2023</p> <p>S.D. RajputApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Punam Mahajan, learned Advocate for the Applicant is absent. Heard Ms. K.S. Gaikwad, 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 01.08.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 01.08.2023.</p> <p>Sd/- Sd/- <i>M.</i></p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 04.07.2023</p> <p>O.A.No.732/2023</p> <p>S.D. RajputApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard 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 18.07.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 18.07.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil Member (A)</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date : 04.07.2023

M.A.No.418/2023 in O.A.No.732/2023

S.D. RajputApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief 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, concurrent and usual, the cases are not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.

5. M.A. is allowed.

Sd/-

Sd/-

(Medha Gadgil
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 04.07.2023

O.A.No.742/2023 with O.A.No.754/2023

K.C. Swami & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate seeking permission for amendment in prayer clause.

3. Permission granted. Amendment to be carried out forthwith. Amended copy to be served upon the concern.

4. Applicants in both the O.As are at present working as Assistant Police Inspector in Police Force want to be appointed as Assistant Police Inspector in Special Protection Unit.

5. Learned C.P.O. has submitted that as per the instructions the case of the Applicants is being considered. She, therefore, seeks time.

6. Time granted. Adjourned to 18.07.2023.

Sd/-

(Medha Gadgil
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Date : 04.07.2023

O.A.No.750/2023

B.P. Dhage Applicant

Vs.

The State of Maharashtra & Ors. Respondents.

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

2. Applicant was appointed as Clerk-cum-typist in the year 19.01.2021 in General Administration Department, Mantralaya. Applicant's sports certificate has been invalidated on 23.08.2022. Applicant challenges the show cause notice issued to him by the Respondent on 16.06.2023. Applicant submitted his explanation on 23.06.2023.

3. Learned Advocate for the Applicant relies on the order dated 22.11.2022 in Writ Petition No.13875/2022, Ganesh B. Gaikwad Versus The State of Maharashtra passed by the Hon'ble High Court, wherein the Petitioner who was similarly situated was granted interim protection on the ground of consequences to the Petitioners are undoubtedly grave. It is held that,

"The consequences to the Petitioners are undoubtedly grave. He will be rendered jobless. His initial appointment stands jeopardized, and this is not on account of any action, inaction or breach on the part of the Petitioner."

4. Thus, as the case of the applicant is squarely covered by the interim order of the Hon'ble High Court in Writ Petition No.13875/2022, hence, the same relief is granted in the present O.A.

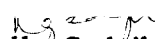
5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.

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


Tribunal's orders

6. Issue notice before admission returnable on 18.07.2023.
7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
10. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.
11. Interim relief to be continued till next date. Adjourned to 18.07.2023.

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 _____

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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
	<p>Date: 04.07.2023</p> <p align="center">O.A. No.511 of 2022</p> <p>V.B. MeherApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought permission to withdraw O.A. with liberty to take necessary steps for filing Writ Petition before Hon'ble High Court challenging impugned order dated 31.03.2022 whereby he is removed from service.</p> <p>3. The Applicant appears employee of university and he is not a State Government servant. The Applicant's counsel therefore sought permission to withdraw O.A. since it does not come within the jurisdiction of this Tribunal.</p> <p>4. Allowed to withdraw O.A. with liberty to challenge impugned order in accordance to law. No order as to costs.</p> <p align="center">Sd/-</p> <p align="center">(Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(A.P. Kurhekar) Member (J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 04.07.2023

O.A. No.742 of 2022

Y.V. Sawalakhe & Ors.,Applicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri S.D. Patil, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Today matter is for filing Rejoinder. However, learned Advocate for the Applicant submits that he does not want to file Rejoinder.
3. Admit. Adjourned for Final Hearing.
4. S.O. to 25.07.2023.

Sd/-

Sd/-

(Debashish Chakrabarty) (A.P. Kurhekar)
 Member (A) Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

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Date: 04.07.2023

O.A. No.977 of 2022

S.R. Kadam,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Siddhesh Rane, learned Advocate holding for Shri S.R. Deshpande, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned P.O. submits that Affidavit-in-Reply is under preparation and same will be filed during the course of the day. Statement is accepted. It be taken on record. Copy to be served on other side.
3. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder.
4. S.O. to 18.07.2023.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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: 04.07.2023</p> <p align="center">O.A. No.1079 of 2022</p> <p>S.M. Chavan,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder.</p> <p>3. S.O. to 18.07.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p>

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 04.07.2023</p> <p align="center">C.A. No.27 of 2022 in O.A. No.645 of 2017 with O.A. No.509 of 2020</p> <p>M.A. Damale,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has pointed out that being aggrieved by the order passed by the Tribunal, Government has filed Writ Petition No.1549/2023 before Hon'ble High Court and it is ordered that the contempt proceeding may not be proceeded with, till next date i.e.13.07.2023 on which date now matter is fixed before Hon'ble High Court.</p> <p>3. In view of above, O.A.^{C.A.} is adjourned to 27.07.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p>