

**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>Date: 04.07.2024</p> <p style="text-align: center;">O.A. No. 497 of 2024 with M.A. No. 270 of 2023</p> <p>M.R. NaladkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondent No. 1 & 2 and Shri A.V. Bandiwadekar, learned Advocate for Respondent No. 3.</p> <p>2. Learned PO present Government Order dated 25.06.2024 of Housing Department which states that decision has been taken on representation made on 28.02.2024 by Applicant and accordingly Applicant has been now been shifted back from post of 'Competent Authority-9' to post of 'Competent Authority-3' in 'SRA Mumbai' to which Applicant had been transferred by Revenue & Forest Department Government Order dated 12.02.2024 and consequently Respondent No.3 has been shifted from the post of 'Competent Authority -3' to 'Competent Authority -9' which was held earlier by Respondent No.3 in 'SRA Mumbai'.</p> <p>3. Learned Advocate for Applicant thereupon states as nothing to survives in O.A. No. 497/2024 it may be disposed off.</p> <p>4. The Applicant has made limited prayer in this O.A. No. 497 of 2024 regarding directions to be given to Housing Department to consider representation dated 28.02.2024 as per law and communicate decision to Applicant.</p>

Office Notes, Office Memoranda of Coram,
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5. The representation made by Applicant on 28.02.2024 has since been considered and by Government Order dated 25.06.2024 of Housing Department, the Applicant has been shifted back on post of 'Competent Authority - 3' and Respondent No.3 to shifted to post of 'Competent Authority -9'.

6. The inference to be drawn from Government Order dated 25.06.2024 of Housing Department is that they have decided to go back on 'Policy Guidelines' in Housing Department GR dated 18.03.2020 relating to appointments made by 'Administrative Departments' on 'Deputation Posts' in 'SRA Mumbai', as Housing Department it appears has chosen to implement Government Order dated 12.02.2024 of 'Revenue and Forest Department'; which in case of Applicant is lending 'Administrative Department'; while 'Housing Department' is borrowing 'Administrative Department'.

7. The substantive point relating to dominion in 'Eyes of Law' of 'Government Orders' which are issued by lending 'Administrative Department' viz Revenue & Forest Department viz-a-viz 'Government Orders' which are issued by borrowing 'Administrative Department' viz Housing Department being contended by Applicant & Respondent No.3 does not stand resolved with issue Government Order dated 25.06.2024 of Housing Department. Hence keeping open for due consideration in similar cases the sanctity of 'Policy Guidelines' in Housing Department GR dated 18.03.2020 relating to appointments made on 'Deputation Posts' in 'SRA Mumbai'; this O.A. No. 497/2024 can be disposed off because of limited nature of prayers which do not warrant indepth consideration of respective 'Merits' and 'Facts' and applicability of 'Law' & 'Rules' including 'Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971'.

8. The prayers of Applicant stand redressed as per Government Order on 25.06.2024 of Housing Department. Thus; as nothing else survives in O.A. No. 497/2024 it stands disposed off. M.A. No. 270 of 2024 with O.A. No. 497/2024 is accordingly disposed off. No Order as to Cost.

Sd/-

(Debashish Chakrabarty)
Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 style="text-align: center;">Date: 04.07.2024</p> <p style="text-align: center;">O.A. No.477 of 2024</p> <p>A.J. ShaikhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Applicant is present 'In-Person' as Shri P. Nayak, learned Advocate for Applicant is 'Not Present' and Shri A.D. Gugale, learned Presenting Officer for Respondents.</p> <p>2. The Applicant states he is unable to continue to work any longer on post of 'Sanad Clerk' in office of 'Special Deputy Superintendent of Land Records No.2 Nashik District' where he has been serving since 25.08.2021, on account of worsening condition relating to 42% overall impairment with 30% on account of 'Low Vision' and 20% due to 'Mental Illness'.</p> <p>3. The Applicant then states that he is now due for transfer having completed nearly 3 Years of 'Normal Tenure' on post of 'Sanad Clerk' in office of 'Special Deputy Superintendent of Land Records No.2, Nashik District'.</p> <p>4. The Applicant mentions that he is put to lot of stress as his family resides in 'Ahmednagar District' Applicant emphasizes that his family support is essential as they are his 'Care Givers'. Thus he is seeks to be posted back to any 'Vacant Post' of 'Sanad Clerk' in any of the '4 Offices' of 'Special Deputy Superintendents' of 'Land Records' located in 'Ahmednagar District'.</p>

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

5. The 'Deputy Director of Land Record, Nashik Division Nashik' is thus directed to consider request to make by Applicant in consideration of fact that Applicant has almost completed 'Normal Tenure' of 3 Years as per 'Section 3 (1)' of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' and more pertinently because Applicant with 42% impairment has entitlement of 'Reasonable Accommodation' under 'Section 20 (2)' of 'The Right of Persons with Disabilities Act, 2016'.

6. The 'Deputy Director of Land Record, Nashik Division, Nashik' to submit information within 'Two Weeks' as to how he intends to consider request of Applicant to be posted back as 'Sanad Clerk' on 'Vacant Post' in any of the 4 Offices of 'Special Deputy Superintendent of Land Records' located in Ahmednagar District.

7. S.O. to 26.07.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

AGR

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MUMBAI**

Original Application No.

of 20

DISTRICT

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versus

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..... Respondent/s

(Presenting Officer.....)

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.737/2024</u></p> <p>A.T. Sakore ...Applicant Vs. The State of Mah. & Ors. ...Respondents</p> <p>1. Heard Shri Balasaheb Deshmukh, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. The learned PO states that for implementation of Order dated 07.05.2024 in OA No.1128/2023, the 'Senior Secretaries Committee' under 'Chief Secretary' held its meeting on 03.06.2024 and has come to the conclusion that Applicant cannot be recommended for appointment to post of 'Assistant Commissioner of Labour, Group-A' because Applicant had not served as 'Labour Officer/Labour Welfare Officer' in M/s. Dev Gaurav Facilities Services Ltd</p> <p>3. The decision taken by the 'Senior Secretaries Committee' under the 'Chief Secretary' is based on consideration of the provisions of 'Section 49' of 'The Factories Act 1948' wherein there is mention of 'Welfare Officer' and not 'Labour Welfare Officer' as has been written in 'Minutes of Meeting' of 'Senior Secretaries Committee'. No mention has been made about the definition of 'Labour Officer' under relevant laws or rules; as well as of role and responsibilities of 'Labour Officer' and 'Labour Welfare Officer'</p> <p>4. The decision of the 'Senior Secretaries Committee' will have to be examined to ascertain whether there is any 'Invidious Discrimination' against Applicant. Therefore the 'Industries, Energy & Labour Department' directed to place on record detailed information in 'Tabular Chart'</p>

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directions and Registrar's orders

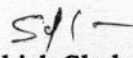
Tribunal's orders

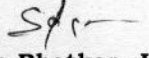
of all appointments made to post of 'Assistant Commissioner of Labour, Group-A' for entire period spanning 5 Years prior to Advertisement dated 18.05.2017 by MPSC with which Applicant is concerned and thereafter upto 30.06.2024.

5. The information of all 'Assistant Commissioner of Labour, Group-A' should be included in 'Tabular Chart' with separate columns showing (a) Sr. Number (b) Name of Officer (c) Date of Appointment (d) Name of Organization in Experience Certificates (i)-(ii)-(iii).... (e) Period of Service shown in Experience Certificates (i)-(ii)-(iii)...., (f) Designation shown in Experience Certificates (i)-(ii)-(iii)....

6. The learned PO seeks time to file Affidavit-in-Reply. Time Granted by way of last chance to learned PO.

7. S.O. to 26th July, 2024. 'Interim Relief' is granted in terms of prayer in 'Para 9(e)' to Applicant and accordingly, it is directed that 'Industries, Energy & Labour Department' shall not fill-up 'One Post' of 'Assistant Labour Commissioner, Group-A' till disposal of this OA No.737/2024.


(Debashish Chakrabarty)
Member-A
04.07.2024


(Mridula Bhatkar, J)
Chairperson
04.07.2024

(skw)

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	<p>AGR</p> <p>[P.T.O.]</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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..... Applicant/s

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versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders
Date: 04.07.2024

O.A. No.466 of 2024 with O.A. No. 467 of 2024
(Speaking to Minutes)

G.S. Kendre

S.G. Shinde

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents.

2. Learned Advocate for the Applicants mentions about 'Speaking to Minutes' with respect to Orders dated 25.06.2024 in O.A. No.466 of 2024 with O.A. No. 467 of 2024.

3. Learned Advocate for Applicants submits that in Order dated 25.06.2024 in 'Para No.7 - Fourth Line' it is inadvertently mentioned as "establishment of 'Special IGP, Kolhapur Range, Kolhapur"; whereas it should be corrected as "establishment of 'Special IGP, Nagpur Range, Nagpur" in O.A. No. 466 of 2024 and "Special IGP, Chatrapati Sambhaji Nagar Range, Chatrapati Sambhaji Nagar" in O.A. No. 467 of 2024.

4. The contents of 'Para No.7- Fourth Line' of Order dated 25.06.2024 in O.A. No.466 of 2024 with O.A. No. 467 of 2024 accordingly stands corrected and be read as above by all Respondents.

Sd/-

(Debashish Chakrabarty)

Member (A)

**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
	<u>O.A.523/2024</u>
	<p>K.S. Anantkawalas ...Applicant Vs. The State of Mah. & Ors. ...Respondents</p> <p>1. Heard Smt. Ponam Mahajan, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. The learned PO seeks time to file Affidavit-in-Reply. Time Granted.</p> <p>3. S.O. to 18th July, 2024.</p>
	<p align="center"> <i>sd/-</i> (Debashish Chakrabarty) Member-A 04.07.2024 </p> <p align="center"> <i>sd/-</i> (Mridula Bhatkar, J) Chairperson 04.07.2024 </p>
(skw)	

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 04.07.2024</p> <p style="text-align: center;">O.A. No.242 of 2024</p> <p>A.D. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant through 'Video Conference' and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents and Ms. Aruna Ghadge, learned Advocate for Respondent No.5.</p> <p>2. Learned Advocate for Applicant states that 'Three Week' time is required to file 'Affidavit-in-Rejoinder. Time as prayed for is granted to learned Advocate for Applicant.</p> <p>3. Learned Advocate for Respondent No.5 points out that the 'Affidavit-in-Reply' has already been filed on behalf of Respondent No. 5 on 08.04.2024.</p> <p>4. The O.A. No. 242 of 2024 may now be admitted and kept for 'Final Hearing'.</p> <p>5. 'Interim Relief' to continue till 'Next Date'.</p> <p>6. S.O. to 25.07.2024</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

C.A. No. of 20

N

Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Memoranda of Coram,
Tribunal's orders or
Registrar's orders

Tribunal's orders

Date: 04.07.2024

M.A. No.383 of 2024 in O.A. No.708 of 2024

Smt. P.C. PatilApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard, Shri S.S. Dere learned Advocate for Applicant in M.A. No.383/2024 who is Respondent No.2 in O.A. No.708/2024, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents and Shri A.V. Bandiwadekar, learned Advocate for Applicant in O.A. No.708/2024.

2. Learned Advocate for Respondent No.2 in O.A. No.708/2024 has filed M.A. No.383/2024 as per directions in Order dated 28.06.2024 of Hon'ble High Court Bombay in 'Writ Petition No.8963/2024'.

3. Learned Advocate for Applicant in O.A. No.708/2024 has filed 'Affidavit-in-Reply' dated 03.07.2024 in M.A. No.383/2024. It is taken on record.

4. Learned Advocate for Applicant in M.A. No.383/2024 who is Respondent No.2 in O.A. No.708/2024 states that matter be heard further on 09.07.2024 only on the limited issue of 'Modification / Vacation' of 'Add Interim Order passed on 13.06.2024'.

5. S.O. to 09.07.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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of 20

DISTRICT

..... Applicant/s

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versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p align="center"><u>O.A.494/2024</u></p> <p>K.S. Lanjekar ...Applicant Vs. The State of Mah. & Ors. ...Respondents</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. The learned Advocate for Applicant submits that Department may issue next Advertisement and the Wait List is already lapsed in December, 2023. She further submits that there were 4 posts which were reserved for SC Candidates. The last candidate has secured 63 marks. However, she was not given appointment and therefore Applicant being Wait List No.1 is claiming on the said post.</p> <p>3. In view of submission and as the PO wants time to get instructions, we direct that if appointment is given to last candidate in SC Category who has secured more marks than Applicant, it will be subject to outcome of this OA.</p> <p>4. Learned PO to verify whether the 3rd Post is filled-up as on today, then 4th post is to be kept vacant.</p> <p>5. S.O. to 25th July, 2024 for filing Affidavit-in-Reply.</p> <p align="center"> <i>sd/-</i> (Debashish Chakrabarty) Member-A 04.07.2024 <i>sd/-</i> (Mridula Bhatkar, J) Chairperson 04.07.2024 </p> <p>(skw)</p>

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(Presenting Officer.....)

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

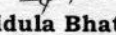
Tribunal's orders

M.A.357/2024 in O.A.757/2024

D.N. Dudhate **...Applicant**
Vs.
The State of Mah. & Ors. **...Respondents**

1. Heard Shri B.A. Bandiwadekar, learned Advocate for Applicant and Smt. A.B. Kololgi, learned PO for Respondents.
2. Issue notice to Respondents made returnable on 25.07.2024.
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 O.A. 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.
6. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the M.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the M.A. shall stand dismissed.
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. S.O. to 25th July, 2024.


(Debashish Chakrabarty)
Member-A
04.07.2024


(Mridula Bhatkar, J)
Chairperson
04.07.2024

(skw)

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Tribunal's orders

O.A.747/2024

G.A. Metakari

...Applicant

Vs.

The State of Mah. & Ors.

...Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.
2. Issue notice returnable on 09.07.2024.
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 by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. 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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
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. S.O. to 9th July, 2024.

sd/-
(Debashish Chakrabarty)
Member-A
04.07.2024

sd/-
(Mridula Bhatkar, J)
Chairperson
04.07.2024

(skw)

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

Tribunal's orders

O.A.748/2024

S.T. Nikam

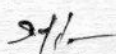
...Applicant

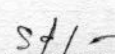
Vs.

The State of Mah. & Ors.

...Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for Applicant and Smt. A.B. Kololgi, learned PO for Respondents.
2. Applicant challenges Order dated 07.09.2018 passed by Respondent No.1 and Order dated 06.10.2023 passed by Resondent No.2 in Appeal. It is a recruitment process of 2018.
3. Issue notice returnable on 09.07.2024.
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 by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
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. S.O. to 18th July, 2024.


(Debashish Chakrabarty)
Member-A
04.07.2024


(Mridula Bhatkar, J)
Chairperson
04.07.2024

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directions and Registrar's orders

Tribunal's orders

O.A.795/2024

Dr. K. Batte **...Applicant**
Vs.
The State of Mah. & Ors. **...Respondents**

1. Heard Shri A.A. Desai, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
2. Issue notice returnable on 01.08.2024.
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 by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. 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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
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. S.O. to 1st August, 2024.

sd/-
(Debashish Chakrabarty)
Member-A
04.07.2024

sd/-
(Mridula Bhatkar, J)
Chairperson
04.07.2024

(skw)

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 04.07.2024</p> <p>O.A. No.03 of 2024</p> <p>S.D. LandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned PO files 'Affidavit-in-Sur Rejoinder' dated 24.07.2024 on behalf of Respondent No. 2. It is taken on record.</p> <p>3. S.O. to 12.07.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</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>Date: 04.07.2024</p> <p>O.A. No.335 of 2024</p> <p>A.S. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through 'Video Conference', Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri A.V. Bandiwadekar, learned Advocate for Respondent No.4.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 08.07.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

O.A. No. _____ of 20____

IN

Application No. _____ of 20____

FARAD CONTINUATION SHEET NO.

Office Memoranda of Coram,
Judgement, Tribunal's orders or
objections and Registrar's orders.

Tribunal's orders

Date: 04.07.2024

M.A. No.381 of 2024 in O.A. No.665 of 2024 with
O.A. No.1255 of 2024

M.K. DhakaneApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant in M.A. No.381/2024, Shri A.J. Chougule, learned Presenting Officer for Respondent No.1 to 4 in M.A. No.381/2024, Shri M.D. Lonkar, learned Counsel for Respondent No.4 - Municipal Commissioner, Pune Municipal Corporation in O.A. No.1255/2024 & 'Special Counsel' for 'Public Health Department' in 'O.A. No.665/2024'. Smt. Punam Mahajan, learned Advocate for Applicant in O.A. No.665/2024 & O.A. No.1255/2024 through Video-Conference.

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 18.07.2024.

4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

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

Tribunal's orders

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

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

8. 'Interim Relief to continue till 'Next Date' in O.A. No.1255/2024.

9. S.O. to 18.07.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

NMN

**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>04.07.2024</p> <p><u>O.A 188/2024 & ORS</u></p> <p>B.T Durge & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.H Pawar, Smt B. Mangale, Shri K.R Jagdale, Ms Purva Pradhan holding for Shri D.B Khaire, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents and Shri S.S. Dere, learned counsel for the private Respondents</p> <p>2. In view of the submissions made before us and after going through the correspondence between the TCS-ION and the Revenue & Forest Department, Government of Maharashtra, we are of the view that we need proper assistance from the concerned Officers from the TCS-ION, who are in the loop of taking decision in the Recruitment Process, 2023 for the post of Talathi especially in respect of (a) Objections raised at all the levels (b) Publication of Merit list dated 5.1.2024 and (c) Revised list dated 11.3.2024.</p> <p>3. We direct Shri Rajesh Kumar, Additional Chief Secretary, Revenue & Forest Department, Shri Sajanikar, Joint Secretary, G.A.D and a responsible officer from the office of TCS-ION to remain present before this Tribunal on 5.7.2024 at 12.00 am.</p> <p>4. Learned counsel for the applicants seek permission to amend the Original Applications.</p> <p>5. Permission is granted to amend the Original Application today itself and serve copy of the same on the Respondents.</p> <p>6. S.O to 5.7.2024 at 12.00 am. F.O.B</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Vice-Chairman (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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 style="text-align: center;"><u>O.A.797 to 800/2024</u></p> <p>S.C. Shaikh S.V. Karande R.D. Patil U.S. Sidusare ...Applicants Vs. The State of Mah. & Ors. ...Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri S.S. Dere, learned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO with Smt. K.S. Gaikwad, learned PO for Respondents. 2. The Applicants in all these 4 OAs are undergoing the training for the post of 'Police Constable' after appointment in 'Sportsmen Category' based on their respective Reservations. 3. The Applicants by common Order dated 19.06.2024 issued by 'Incharge Principal, Police Training Centre, Nanviz, District Pune' have been relieved from training and asked to report at the Headquarter on the ground that their Sports Certificate in 'Sepek Takraw' is invalidated by Order dated 18.05.2024. 4. The Applicants thereafter immediately reported to Commissioner of Police, Greater Mumbai and thereafter they have challenged this common Order dated 19.06.2024 issued by 'Incharge Principal, Police Training Centre, Nanviz, District Pune' before this Tribunal. 5. The learned Advocate for Applicants submits that though 'Sports Certificates' of the Applicants of 'Sepek Takraw' will have to be invalidated by School and Education Department by GR dated 20.06.2024 by which there is change in policy and amended in respect of terms and conditions of Affiliation and recognition to the Indian Olympic Association. 6. The learned Advocate for Applicants further submits that in view of GR dated 20.06.2024, the case of Applicants of 'Sepek Takraw' are required to be

reverified again and Respondent No.3 - Director General of Sports and Youth Services, Pune is required to review his earlier decision by giving audience to Applicants on the point of validity of their respective Sports Certificates in 'Sepek Takraw'.

7. The learned Advocate for Applicants further submits that Applicants have challenged the order of invalidation of earlier Sports Certificates in 'Sepek Takraw'. However, by way of 'Interim Relief', the Applicants pray that all these Applicants be sent back to their 'Police Training Centre at Nanviz, District Pune' and they are to be allowed to complete their training which remains for only 15-20 days.

8. The learned CPO while opposing this application submits that it is necessary for Commissioner of Police, Mumbai and DCP to study the cases of Applicants on facts and also consider the application of GR dated 20.06.2024 to decide cases and thereafter take appropriate decision. She further submits that it is difficult to get proper instructions in respect of Police Recruitments and therefore seeks time to file Affidavit-in-Reply. Time Granted.

9. In view of this, we are of the view that as Applicants have already completed training nearly of 8 months and training of only 15-20 days remained, therefore we grant 'Interim Relief' as follows :-

- (a) The Applicants are hereby directed to forthwith report back for remaining training at 'Incharge Principal, Police Training Centre at Nanviz, District Pune' is directed to allow them to join the training of Police Constables.
- (b) The Applicants and Respondents to take note that this order of 'Interim Relief' will not come in the way of 'Director of Sports and Youth Services, Pune' and 'Commissioner of Police' or 'DCP' in deciding the application of GR dated 20.06.2024 in respect of Applicants and that can be decided in due course.

10. S.O. to 1st August, 2024.

skw
(Debashish Chakrabarty)
Member-A
04.07.2024

skw
(Mridula Bhatkar, J)
Chairperson
04.07.2024

(skw)

**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

**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><u>04.07.2024</u></p> <p><u>M.A 248/2024 in R.A 4/2024 in O.A 842/2017</u></p> <p>The Dy. Conservator of Forest ... Applicants (Ori Respondents)</p> <p style="text-align: center;">Vs.</p> <p>B.A Dane & Ors ... Respondents (Ori Applicants)</p> <p>1. Heard Smt K.S Gaikwad, learned P.O for the applicants (Ori Respondents) and Shri C.T Chandratre, learned P.O for the Respondents (Ori Applicants).</p> <p>2. Matter to be placed before 2nd D.B on 11.7.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>04.07.2024</u></p> <p><u>O.A 1074/2023</u></p> <p>S.B Kamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri O.M Lonkar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks time to file rejoinder.</p> <p>3. S.O to 1.8.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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.

04.07.2024

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

O.A 1530/2023
Tribunal's orders

V.B Kendre ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.
2. Learned counsel for the applicant files affidavit in rejoinder.
3. Admit.
4. Place for final hearing on 25.7.2024.

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Akn

**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	<p>04.07.2024 Tribunal's orders</p>
	<p><u>O.A 1529/2023</u></p> <p>Dr S.M Shete Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.2. Admit with liberty to file rejoinder, if any.3. Place for final hearing on 25.7.2024. <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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 04.07.2024
	<p style="text-align: center;"><u>O.A 1492/2023</u></p> <p>S.L Kokade & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P Potbhare, 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 8.8.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>04.07.2024</u></p> <p><u>O.A 1208/2023</u></p> <p>S.C Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel seeks time to file rejoinder.</p> <p>3. S.O to 1.8.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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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04.07.2024

O.A 1080/2023

P.P Inge ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Learned counsel seeks time to file rejoinder.
3. S.O to 25.7.2024.

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Akr

**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.

04.07.2024

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

M.A 301/2024 in O.A 1198/2022

G.M Chaudhari ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri G.B Solanke, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. The present Misc Application is filed seeking stay to the departmental enquiry reinitiated by impugned order dated 19.4.2022.
3. Learned counsel submits that departmental enquiry was initiated on 16.9.2019 for the incidence which took place in the year 2016-17. The applicant participated in the said enquiry. Learned counsel further submitted that the applicant retired on 31.5.2021. Thereafter on 19.4.2022 the Enquiry Officer submitted to the Disciplinary Authority. Learned counsel submitted that the said report was not served on the applicant. However, on 19.4.2022, notice was given to the applicant wherein it was stated that the report submitted by the Enquiry Officer is rejected by the Disciplinary Authority and fresh enquiry is initiated against the applicant and Enquiry Officer is appointed on the same day. However, by order dated 12.4.2024 new Enquiry Officer is appointed.
4. In view of the above, Misc Application stands disposed of with direction to the Enquiry Officer not to proceed with the enquiry.
5. Original Application No. 1198/2022 to be placed for final hearing on 1.8.2024.

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Akn

**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>C.A. No.59 of 2019 in OAs No.1041/2017 & 1042/2017</u></p> <p>L.B. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Applicant and Advocate are not present.</p> <p>2. The matter is pending in the Hon'ble High Court.</p> <p>3. S.O. to 1.8.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 4.7.2024</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
	<p align="center"><u>C.A. No.8 of 2024 in O.A. No.465 of 2017</u></p> <p>G.R. Karpe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time.</p> <p>3. S.O. to 9.7.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 4.7.2024</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
	<p align="center"><u>C.A. No.36 of 2024 in O.A. No.323 of 2021</u></p> <p>D.G. Vasagadekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. Advocate for the applicant is absent.</p> <p>2. The order dated 25.11.2021 passed by the Tribunal is not complied with. However, considering date of the order and where time was given for two weeks and since no application for extension was moved, issue contempt notice returnable on 11.7.2024.</p> <p>3. Contempt notice returnable on 11.7.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 4.7.2024</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
	<p align="center"><u>C.A. No.43 of 2024 in O.A. No.1480 of 2023</u></p> <p>S.R. Chate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Learned Advocate for the Applicant is absent.</p> <p>2. At the request of Ld. PO adjourned to 11.7.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 4.7.2024</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
	<p align="center"><u>M.A. No.594 of 2023 in O.A. No.574 of 2023</u></p> <p>S.I. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that NOC was received from Zilla Sainik Welfare Board by letter dated 13.6.2022 which was received by the office of Collector on 24.6.2022 thereby giving NOC to the post of Talathi to Ex-serviceman NT-B-1 one post and ST two posts, total 3 posts. Thereafter, Resident Deputy Collector by letter dated 29.7.2022 informed this position to Section Officer, Revenue & Forest Department.</p> <p>3. The respondents are directed to verify the Non-Creamy Layer Certificate of the applicant within two weeks and file reply within two weeks.</p> <p>4. S.O. to 18.7.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 4.7.2024</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
	<p align="center"><u>M.A. No.86 of 2024 in O.A. No.849 of 2023</u></p> <p>S.D. Bhagat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, 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. S.O. to 18.7.2024 by way of last chance.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 4.7.2024</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
	<p align="center"><u>R.A. No.11 of 2023 in O.A. No.1027 of 2019</u></p> <p>L.D. Surnar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Learned Advocate for the Applicant is absent.</p> <p>2. Ld. PO seeks time.</p> <p>3. S.O. to 25.7.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 4.7.2024</p> <p>(sgj)</p>