

**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: 05.01.2021

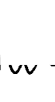
M.A. No.303 of 2020 in O. A. No. 172 of 2020

M.N. Bhalchandra .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In view of order dated 05.01.2021 passed in O.A. No.172 of 2020, present M.A. No.303 of 2020 is also allowed to be withdrawn and disposed of as such.

Sd/-  
(P.N. Dixit)  
Vice-Chairman

  
Sd/-  
(Mridula R. Bhatkar, J.)  
Chairperson

NMN

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

Tribunal's orders

**Date : 05.01.2021**

**O.A.No.842 of 2017**

**B. A. Dane & Ors.**

**....Applicants**

**Versus**

**The State of Maharashtra & Ors.**

**...Respondents.**

1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. The Applicants contend that they were in service of the Forest Department as daily wagers in the period from 1991 onwards and entitled for the relief of absorption in terms of G.R. dated 16.10.2012.
3. Perusal of G.R. dated 16.12.2012 reveals that in 2012, the Government had taken decision to regularize the services of 10,264 daily wagers by creating supernumerary posts subject to condition that they have worked for 240 days in a year for five years.
4. The Applicants contend that they are eligible but for want of post, they were not accommodated.
5. Admittedly, the Applicants are not in service since 2002 as fairly conceded by the learned Counsel for the Applicants. Thus position emerges that though the Applicants claimed relief of absorption in terms of G.R. dated 16.10.2012, they are out of service from last 18 years. Thus, indirectly they are seeking appointment by direction to the Respondents to create further supernumerary post.
6. As per officer order dated 03.01.2018 subject of appointment pertains to Division Bench.
7. In view of above, it appears that O.A. pertains to Division Bench.
8. Registrar is, therefore, directed to examine the matter and to place it before appropriate bench.

Sd/-

(A.P. Kurhekar)  
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATION NO.01 OF 2021**

Shri Pankaj Gokul Patil. )...**Applicant**

**Versus**

1. The State of Maharashtra & Anr. )...**Respondents**

**Mr. Arvind V. Bandiwadekar, Advocate for Applicant.**

**Mrs. K.S. Gaikwad, Presenting Officer for Respondents.**

**CORAM : SHRI A.P. KURHEKAR, MEMBER-J**

**DATE : 05.01.2021**

**ORDER**

1. The Applicant has challenged his transfer order dated 31.12.2020 whereby he was transferred from the post of Chief Officer, Karjat Municipal Council, Raigad to the post of Assistant Commissioner, Mira Bhayandar Municipal Corporation, Palghar and in his place, the Respondent No.2 was brought from Panvel Municipal Corporation. In impugned order, they were shown transferred on administrative ground.

2. Shri A.V. Bandiwadekar, learned Advocate for the Applicant sought to assail the impugned transfer order and prayed for interim relief mainly on the ground that the transfer of the Applicant is not vetted by Civil Services Board and it being made mid-term and mid-tenure transfer, the transfer shown under the garb of administrative exigency is not sustainable in law.



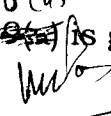
3. Per contra, Smt. K.S. Gaikwad, learned Presenting Officer sought to justify the impugned order and opposed the interim relief contending that the transfer of the Applicant and Respondent No.4 are approved by Hon'ble Minister Incharge of the Department as well as by Hon'ble Chief Minister. She further submits that the transfers were found necessitated to handle Covid-19 situation. She has also tendered the file for the perusal of the Tribunal.

4. The perusal of file reveals that the issue of transfer of 15 Government servants was placed before Civil Services Board on 10.11.2020 and recommendations were made by CSB in respect of those 15 Government servants only. The name of Applicant as well as Respondent No.2 does not figure in the proposal vetted by CSB. However, the Hon'ble Minister at the level of Government suggested transfers of 46 employees at Schedule 'A' and requested Hon'ble Chief Minister to approve the same to handle Covid-19 pandemic situation in State. Accordingly, Hon'ble Chief Minister approved the transfers proposed by the Hon'ble Minister.

5. Thus, admittedly, the issue of transfer of Applicant as well as Respondent No.2 was not placed before the CSB. It is only at the level of Government when the recommendations of other 15 Government servants made by CSB was placed for approval, that time another list (Schedule 'A') showing transfer of 46 employees was prepared and the same was approved by the Hon'ble Chief Minister. Thus, there is no denying that the subject of transfer of Applicant was not at all placed before the CSB as mandated by Hon'ble Supreme Court in **(2013) 15 SCC 732 (T.S.R. Subramanian and Ors. Vs. Union of India & Ors.)**.

6. Admittedly, the Applicant had hardly completed eight months at Raigad and Respondent No.4 hardly completed four months at Panvel Municipal Corporation. Thus, both were not due but they were

transferred mid-term as well as mid-tenure by impugned order dated 31.12.2020.

7. True, the Applicant is shown transferred for the reason to handle Covid-19 pandemic situation. However, except this single sentence that transfers were effected to handle Covid-19 pandemic situation, there is absolutely nothing on record even to show *prima-facie* that the Applicant was not able to handle Covid-19 situation at his level.
8. Thus, *prima-facie*, it cannot be said that any special case is made out to invoke Section 4(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Transfer Act 2005' for brevity).
9. Apart, the Respondents appear to have circumvented, the decision of Hon'ble Supreme Court thereby not placing the matter before the CSB which is fatal for the legality of the transfer order.
10. In view of above, I am satisfied that *prima-facie* the transfer of Applicant is not in consonance with the provisions of 'Transfer Act 2005'.
11. Inerim relief as prayed in Para <sup>10 (a)</sup> ~~9(a)~~ is granted.  

12. Issue notice returnable on 1st February, 2021.
13. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
14. 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.



15. 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.
16. 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.
17. In case, notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
18. S.O. to 1<sup>st</sup> February, 2021.

Sd/-

**(A.P. KURHEKAR)**  
**Member-J**

skw

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**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
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M.A. No.307 of 2020 in O.A. No.700 of 2020

S.A. Deokar & Anr.	..Applicants
Vs.	
The State of Maharashtra & Ors.	..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.

Sd/-

(P.N! Dixit)  
Vice-Chairman  
5.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson  
5.1.2021

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.700 of 2020

S.A. Deokar & Anr. ..Applicants  
 Vs.  
 The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicants submits that all the respondents are served. The Ld. Advocate for the applicants is directed to remove the office objections within one week.

3. The applicants who are working in SRPF pray that the order of promotion dated 23.10.2020 giving promotion to respondents no.5 to 14 be quashed and set aside as seniority of the applicants is not considered as per letter-cum-order dated 20.9.2014.

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

5. Issue notice before admission returnable on 16.2.2021.

6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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.

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

8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

(P.N.<sup>1</sup>Dixit)  
 Vice-Chairman  
 5.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)  
 Chairperson  
 5.1.2021



**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 : 05.01.2021**

**O.A.No.272 of 2020**

Dr. K.S. Deshpande ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

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

2. In this matter the Applicant, Medical Officer, who is at present working at Lecturer was kept without posting for the period from 04.06.2019 to 07.10.2019. So it is prayed that period should be treated as compliancy waiting.

3. The learned P.O. to take necessary instructions.

4. Adjourned to 12.01.2021.



Sd/-

(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><b><u>05.01.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 330/2020</u></b></p> <p>Shri D.M Tribhuwan &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. This matter was heard through Virtual Conference.</p> <p>2. Heard Shri A.S Deshmukh, learned advocate for the applicants, Shri M.S Mahajan, learned P.O for the Respondents no 1 to 3 and Mr Wankhede, holding for Mr Satyajit Rahane, learned advocate for Respondents no 4, 10, 14 and 15</p> <p>3. A group of five applicants working in Revenue &amp; Forest Department pray that the final seniority list of the cadre of Clerk-cum-typist dated 17.7.2020, be quashed and set aside to the extent of the seniority of Respondents 4 to 15 with effect from the date of their respective entry in the cadre of Clerk-typist instead of counting it from the date of their getting exemption from passing the Sub Service Department Examination Rules, 1988 (hereinafter referred to as "the SSD Examination Rules) upon completion of the age of 45 years.</p> <p>4. Learned counsel for the applicants submits that the applicants 1 to 4 have cleared the SSB Examination well within the time and applicant no. 5 is exempted from the SSD Examination. However, Respondents no 4 to 15 did not clear the examination, but they got exemption from passing SSD Examination. Learned counsel submits that the seniority of Respondents should be treated not from the date of their appointment, but from the date of exemption. Learned counsel for the applicant submits that this issue is not res-integra as the Full Bench of this Tribunal in O.A 354/2015, Mahesh Sapre &amp; Ors Vs. State of Maharashtra by order dated 2.2.2017 has decided the issue.</p> <p>5. Learned counsel Mr Wankhede, holding for Shri Satyajit Rahate, appearing for the Respondents no 4, 10, 14 and 15 prays of two weeks' time.</p> <p>6. Learned C.P.O points out that Respondent no. 3, Collector, has filed affidavit in reply dated 30.12.2020 through Tejsawini Goroba Jadhav, Tahsildar, Collector Office, Aurangabad today. The same is taken on record. Learned C.P.O submits that</p>



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

the Respondents is also relying on the ratio laid down in the judgment of Full Bench of this Tribunal referred to above and after applying the same, the seniority list is prepared.

7. Mr Subhedar, Registrar, M.A.T, Aurangabad, informs that all other private Respondents, other than Respondents, 4, 10, 14 and 15 have appeared in the matter. However, they have not filed their affidavit in reply and they have also not engaged the counsel.

8. The Respondents who are private persons are given time by way of fair opportunity to engage counsel within a week if they want and thereafter, they are directed to file affidavit in reply by 25.1.2021.

9. Learned counsel for the applicants submit that the Respondents are likely to issue the promotion orders of the Respondents and it will cause great prejudice to the applicants. It is pointed out by learned C.P.O that the representations made by the applicants were considered by the Respondents and decision is communicated on 7.7.2020 to the applicants thereafter the seniority list was published

10. In view of this, we cannot consider at this stage the request for grant of interim relief. However, the issuance of the orders of promotion is subject to the outcome of this Original Application.

11. S.O 28.1.2021 at 3.00 pm.

Sd/-

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

Akn

Sd/-

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

**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.**

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	<p><b>Date : 05.01.2021</b></p> <p align="center"><b>O.A.No.215 of 2020</b></p> <p>V.N. Dixit ... Applicant</p> <p align="center">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. file affidavit-in-reply through Shri Nandkumar Dattajirao Deshmukh, Deputy Director of State Bureau of Health Intelligence and Vital Statistics, Maharashtra State, Pune on behalf of Respondents No.1 to 5, dated 24.12.2020. The same is taken on record.</p> <p>3. Affidavit-in-reply on behalf of Respondent No.6 is filed through Shri Sandeep Purushottam Waikar, office of Accountant General (A&amp;E)-II is already on record.</p> <p>4. Perused the affidavit of Shri Nandkumar Dattajirao Deshmukh. In paragraph 8 of the said affidavit the actual tenure of service till the applicant was relieved on 17.10.2011 on counting comes to 19 years 2 months and 24 days. However, in the affidavit of Shri Sandeep Purushottam Waikar in paragraph 5.3 it appears that the applicant has put in 19 years 10 months and 10 days, on the day of serving notice for voluntary retirement i.e. on 16.07.2011. There is a discrepancy in competition of period in both the affidavits. If the period of 19 year 10 months 10 days is accepted on the date of service of notice than as it is a 3 months prior notice than those 3 months can be added in the tenure of service in which she fulfills the period of 20 days.</p>



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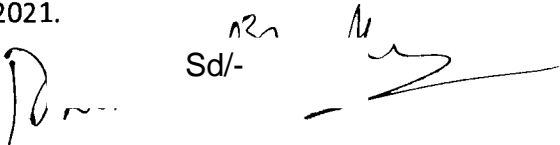
5. The learned P.O. to take all the necessary instructions especially in view of the letter dated 29.08.2017 written by Dr. Tanaji H. Mane, Deputy Director Health where to Director Health service Maharashtra State, Has clearly stated that if a notice period of one month 5 days is condoned than the applicant will be completing qualified service of 20 years. In the said letter Mr. Mane has stated that the applicant has completed a qualified service of 20years 1month and 25days. However in that letter till today the Director Health Department has not taken any decision on this point.

6. The learned P.O. is directed to take necessary instructions as this issue is pending since 2011.

7. Under Rule 4 of Maharashtra Civil Service (Pension) Rules 1982 the Government has power to relax the rules if at all the Government is satisfied that if Government servant is likely to suffer undue hardship such power of modification vests with the Government.

8. In view of this Director Health Department to take necessary instructions. Hamdast.

9. S.O. to 12.01.2021.

Sd/-   
(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

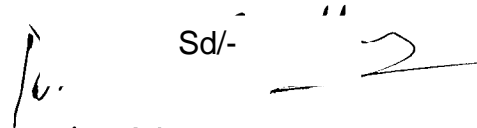
*versus*

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><b>Date : 05.01.2021</b></p> <p style="text-align: center;"><b>O.A.No.9 of 2021</b></p> <p>A.B. Patil ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., 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 12.01.2021.</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 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. 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</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>within one week. Applicant is directed to file Affidavit of compliance and notice</p> <p>7. The applicant Awak Karkoon, working in Food Supply officer, Ghodegaon, District Pune prays that his suspension order dated 09.11.2020 be quashed and set aside.</p> <p>8. The learned Counsel interim relief as there is no case against the applicant under the IPC Act.</p> <p>9. The learned Advocate Smt. Punam Mahajan submits that incident has taken place on 09.03.2020. The FIR is filed on 22.06.2020 and the suspension order dated 09.11.2020 was served yesterday i.e. on 04.01.2021. The learned Advocate further submits that the Applicant has neither demanded nor accepted illegal gratification from the complainant, that also points out that by order dated 10.07.2020 the applicant was granted anticipatory bill by the Khed, Rajgurunagar, District Pune.</p> <p>10. The learned P.O. seeks time to obtain instructions.</p> <p>11. Time granted. The learned P.O. is directed to obtain instructions on the following points :-</p> <p>(a) Why suspension order dated 09.11.2020 was served late i.e. on 04.01.2021.</p> <p>(b) Why there is a delay in issuing suspension order when the allege incident had taken place on 09.03.2020.</p> <p>(c) Whether the departmental enquiry has been initiated against the applicant.</p> <p>12. Adjourned to 12.01.2021 for interim relief.</p> <p style="text-align: right;">   Sd/-  <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </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"><b>Date: 05.01.2021</b></p> <p align="center"><b>O. A. No. 94 of 2018</b></p> <p><b>A.S. Jakkanawar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant seeks declaration that memorandum dated 25.8.2015 issued by the Respondent No.2 and continuation of the same is illegal, bad in law and it is to be set aside with all monetary and consequential service benefits in favour of the Applicant.</p> <p>3. The learned P.O. submits that Affidavit-in-Reply is filed.</p> <p>4. The Learned Advocate for the Applicant submits that pursuant to order dated 15.12.2017, he has received all the pensionary benefits except amount towards missing credit from G.P.F.</p> <p>5. Affidavit-in-Reply is filed by the Respondent No.2 Sandesh Babanrao Patil, Range Forest Officer, Kadgaon, District Kolhapur dated 26.10.2020. Learned P.O. pointed out that as per the affidavit Rs.10,000/- was paid extra to the Applicant towards G.P.F. and that amount is adjustable towards missing credit.</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p>u</p> <p>u</p>	<p>6. Learned Advocate M.D. Lonkar submits that there is dispute about the amount of the missing credit. However, if permission is granted it can be discussed and sorted out with the Respondents.</p> <p>7. Learned P.O. submits that <sup>the applicant</sup> he may submit the representation to that effect which can be considered by the department.</p> <p>8. In view of this nothing remains in the Application and Application is disposed off with following directions.</p> <p>a) The Applicant may submit his representation for the missing credit to the Respondent.</p> <p>b) If such representation is received then Respondents to decide it thereafter within three months and communicate the same decision to the Applicant within four weeks thereafter.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">/ (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><b>Date: 05.01.2021</b></p> <p align="center"><b>O. A. No. 715 of 2020</b></p> <p><b>A.R. Patil</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.R. Patil, Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. The Applicant who was working as Assistant Commissioner of Police has challenged order dated 02.12.2019 passed by Home Department stating that the decision of High Court of Judicature at Madras that the Government Servant who has retired on 30<sup>th</sup> June is entitled to the increment of annual increment of 1<sup>st</sup> July, even, if he is not in service.</li> <li>3. The respondents have informed by order dated 02.12.2019 that the State Government has not yet taken policy decision on this point till today.</li> <li>4. In view of the prayer made by the Applicant relief depends on the policy decision of the State of Maharashtra. The Applicant has pointed out and relied on judgment of the Hon'ble High Court of Judicature at Madras in W.P. No. 15732/2017 dated 15.09.2017, P. Ayyamperumal V/s. Registrar, Central Administrative Tribunal, wherein the Applicant was retired but was given notional increment for the period from 1<sup>st</sup> July. The said judgment and order of Hon'ble Madras High Court was confirmed by the Supreme Court by order dated 23.07.2018 The Applicant has relied on the order dated 23.01.2018 in Gopal Singh v/s. Union of Indian and Ors. in W.P. No. 10509/2019, passed by Hon'ble Delhi High Court, wherein, in a similar situation, the Delhi High Court has allowed the petition by granting</li> </ol>

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Tribunal's orders

notional increment w.e.f. 01<sup>st</sup> July. The said order was challenged before the Hon'ble Supreme Court and the Hon'ble Supreme Court in S.L.P. (Civil) Dairy No.13959/2020 dated 13.10.2020 has held that there is no reason to interfere with the order of Hon'ble High Court.

5. Learned C.P.O. has earlier pointed out that earlier in O.A. No.349/2019, the Single Bench of this Tribunal has given the direction to Respondent No.1, State, to decide the representation made by the Applicant on 01.11.2018 within two months and communicate the order.

6. Till today the Government has not taken any policy decision. We direct the Respondent to take the policy decision within four months till 15.05.2021.

7. With above directions O.A. stands disposed of.

Sd/-

(P.N. Dixit)  
Vice-Chairman

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson

NMN

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

Tribunal's orders

**Date : 05.01.2021**

**O.A.No.741 of 2017**

**V. K. Jagdhane**

**....Applicant**

**Versus**

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

1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. This O.A. is disposed of by order dated 03.12.2020 whereby directions were given to the Commissioner of Police, Mumbai for enquiry as to who was responsible for failure to take suitable action to get the quarter vacated from the Applicant and to submit the report.
3. Today, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents has tendered one letter purportedly addressed to her by Smt Geeta Chavan, Deputy Police Commissioner who is dealing with the Quarter Allotment Department wherein she is stated that enquiry is initiated and final report will be submitted after completion of enquiry.
4. Learned P.O., therefore, submitted that as per directions of the Tribunal enquiry is being conducted.
5. The letter tendered today is too cryptic and does not indicate exact steps taken by the office for compliance of the directions given by the Tribunal in Para No.27 of the judgment.
6. Respondent No.1- Commissioner of Police, Mumbai is, therefore, directed to file affidavit of the concerned responsible officer who is entrusted with the enquiry giving details of the steps taken for the compliance of directions given by the Tribunal.
7. Affidavit be filed on or before 08.01.2021. The matter be listed on board for further compliance on 08.01.2021.
8. S.O. to 08.01.2021.

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**Date : 05.01.2021**

**O.A.No.1055 of 2018**

**V. S. Mone**

....Applicant

**Versus**

**The State of Maharashtra & Ors.**

...Respondents.

1. Heard Shri Gaurav A. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Today, learned Counsel for the Applicant has filed additional affidavit of the petitioner stating that G.R. dated 28.06.1989 is not available and not provided to him despite availing provision of RTI Act. The affidavit is taken on record.
3. The matter is adjourned for hearing on 19.01.2021.

^  
Sd/-

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

vsm

**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 : 05.01.2021

O.A.No.353 of 2020

P. D. Kokare

....Applicant

Versus

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

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed Affidavit in Sur-Rejoinder on behalf of the Respondent No.2. It is taken on record.
3. Pleading is complete.
4. However, on request of learned Counsel for the Applicant, the matter is adjourned for hearing at the stage of admission.
5. S.O. to 08.01.2021.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 05.01.2021**

**O.A.No.353 of 2020**

**P. D. Kokare**

**....Applicant**

**Versus**

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

1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Pleading is complete.
3. However, on request of learned Counsel for the Applicant, the matter is adjourned for hearing at the stage of admission.
4. S.O. to 08.01.2021.

^  
Sd/-

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

vsm

**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><b>Date : 05.01.2021</b></p> <p align="center"><b>O.A.No.293 of 2018 with O.A.294 of 2018</b></p> <p><b>U.S. Gawandi</b> <b>J. D. Kshirsagar</b> <span style="float: right;"><b>....Applicants</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. These two Original Applications are dismissed in default but in view of the order passed in M.A.No.648/19 and M.A.No.649/2019, they were restored subject to cost of Rs.1000/- by order dated 28.11.2019. The Applicants have deposited the cost.</p> <p>3. In view of above, O.A.No.293/2018 and O.A.No.294/2018 are restored to file for decision on merit.</p> <p>4. The pleadings in both the Original Applications are completed and the matters are ripe for final hearing.</p> <p>5. Both Original Applications be kept for final hearing on 29.01.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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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**Date : 05.01.2021**

**M.A. No.668 of 2019 in O.A.No.293 of 2018**

**with**

**M.A.No.669 of 2019 in O.A.294 of 2018**

**U.S. Gawandi**

**J. D. Kshirsagar**

**....Applicants**

**Versus**

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Learned Counsel for the Applicants submits that as the matters are already transferred to this bench, she is withdrawing these Misc. Applications.

3. Allowed to withdraw M.A.No.668/2019 and M.A.No.669/2019.

4. In view of above, M.A.No.668 & 669/2019 are disposed of.

**Sd/-**

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

vsm

**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: 05.01.2021

O. A. No. 1064 of 2019

S.S. Panajkar .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.A. Desai, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant submits that she be granted time to file Rejoinder.
3. One week time is requested. Time as prayed is granted.
4. S.O. to 28.01.2020.

Sd/-  
(P.N. Dixit)  
Vice-Chairman

Sd/-  
(Mridula R. Bhatkar, J.)  
Chairperson

**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: 05.01.2021**

**O. A. No. 499 of 2020**

**S.M. Pawar .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.**

1. Heard Shri A. Vadgaonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant submits that the notices for Respondent No.4 and 5 are sent.
3. Respondent No.4 notice has come back. It is to be served to Respondent No.4 again.
4. S.O. to 04.02.2020.

Sd/-  
(P.N. Dixit)  
Vice-Chairman

Sd/-  
(Mridula R. Bhatkar, J.)  
Chairperson

**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: 05.01.2021**

**O. A. No. 172 of 2020 with M.A. No.303 of 2020**

**M.N. Bhalchandra .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.**

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant submits that on instructions the Applicant wants to withdraw this O.A. with liberty to file fresh O.A., due to certain development in between, in respect of his promotion, as he retired on 30.09.2020.
3. The identification marked as (exhibit '1') is allowed to withdraw to file fresh O.A.

Sd/-  
(P.N. Dixit)  
Vice-Chairman

Sd/-  
(Mridula R. Bhatkar, J.)  
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.722 of 2020

M.A. Tamanekar ..Applicant  
 Vs.  
 The State of Maharashtra & Ors. ..Respondents

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

2. The applicant a Head Constable Writer in Police Department prays that respondent no.1 be directed to promote him to the post of PSI and grant him deemed date with all consequential benefits since his juniors are promoted.

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 16.2.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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.

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

7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-  
 (P.N. Dixit)  
 Vice-Chairman  
 5.1.2021

(sgj)

Sd/-  
 (Mridula R. Bhatkar, J.)  
 Chairperson  
 5.1.2021

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

Tribunal's orders

O.A. No.597 of 2020

R.D. Ghane ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

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

2. The applicant prays that the respondents be directed to give him deemed date of promotion and promotion to the post of Regional Water Conservation Officer/Superintendent Engineer.

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 16.2.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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.

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

7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-  
(P.N. Dixit)  
Vice-Chairman  
5.1.2021

Sd/-  
(Mridula R. Bhatkar, J.)  
Chairperson  
5.1.2021

(sgj)



**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	<b>Tribunal's orders</b> M.A. No.319 of 2020 in O.A. No.729 of 2020
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V.V. Ambole & Ors. ..Applicants  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Sonali Pawar, learned Advocate holding for Shri Akshay R. Kapadia, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.

Sd/-  
(P.N. Dixit)  
Vice-Chairman  
5.1.2021

Sd/-  
(Mridula R. Bhatkar, J.)  
Chairperson  
5.1.2021

(sgl)



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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C.A. No.41 of 2020 in O.A. No.556 of 2007

A.B. Ghodeswar ..Applicant  
 Vs.  
 The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Amendment allowed forthwith.

3. The applicant prays for implementation of the order dated 24.10.2007 passed by this Tribunal in OA No.556 of 2007 directing the Commissioner, Konkan Division – Respondent No.1 to take disciplinary action against the erring officer who has failed to comply with his order as per para 2 of the order dated 17.4.2004.

4. At the outset the Ld. PO raised objection about maintainability on the ground of limitation. Ld. Advocate for the applicant points out letter dated 6.1.2020 written by Divisional Commissioner, Konkan Division to Dy. Collector, Colaba regarding attending the complaint of the applicant. This pertains to the recovery of the amount which was not paid to the applicant.

5. Ld. Advocate for the applicant submits that he is not claiming any punitive action against the persons who have not complied with the orders of this Tribunal however he is concerned only with the monetary benefits.

6. In view of these submissions it is suggested that both the parties should sit together in the office of Divisional Commissioner, Konkan Division on 7.1.2021 at 11.00 a.m. and sort out the issue and report the progress to this Tribunal within one week.

7. S.O. to 14.1.2021.

Sd/-  
 (P.N. Dixit)  
 Vice-Chairman  
 5.1.2021

Sd/-  
 (Mridula R. Bhatkar, J.)  
 Chairperson  
 5.1.2021

(sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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C.A. No. 56 of 2019 in O.A. No.1265 of 2013

R.M. Kashelkar ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

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

2. In this CA the applicant an Orthotic-cum-Prosthetic Technician who was working in the office of Civil Surgeon, Ratnagiri points out that the order dated 3.2.2016 passed by this Tribunal in OA No.1265 of 2013 is not complied with.

3. Ld. PO submits that the respondents have not filed affidavit in reply in this CA. However, the order in OA is partly complied with. Ld. Advocate for the applicant submits that the period of 365 days is considered however, the remaining 235 days is not considered.

4. Ld. PO produces an order dated 24.12.2020 wherein the entire period of 600 non-working days were considered that it is not a technical break as the total period is more than one month to one year or more than that and by this fresh order the decision given by the Tribunal on 3.2.2016 is considered. The order dated 24.12.2020 is taken on record and marked 'X-1' for identification.

5. Now nothing remains in this CA and the same is disposed off as such.

Sd/-

(P.N. Dixit)  
Vice-Chairman  
5.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson  
5.1.2021

**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. No.650 of 2020</u>
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G.G. Barathe	..Applicant
Vs.	
The State of Maharashtra & Ors.	..Respondents

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

2. The applicant who is working in the office of His Excellency the Governor of Maharashtra is challenging the order dated 29.2.2018 of his compulsory retirement from the post of Wardboy Mukadam and so also he is challenging the order dated 19.3.2019 dismissing the appeal by the respondents. He prays that the said two orders be quashed and set aside.

3. The last order under challenge was passed on 19.3.2019. However, this OA is filed on 3.11.2020. The point of limitation was raised. In Suo Motu Writ Petition (Civil) No.3 of 2020 the Hon'ble Supreme Court by order dated 23.3.2020 and thereafter by order dated 6.5.2020 has given direction that the period of lockdown should be excluded from the period of computing the period of limitation and it will start running 15 days after lockdown is lifted in respective States. In Maharashtra lockdown was declared on 14.3.2020. Hence, there is no need to file MA for condonation of delay.

4. In view of the above directions of the Hon'ble Supreme Court under Article 142 of the Constitution of India, no party is required to file application for condonation of delay from 15.3.2020 till now as the lockdown is not completely lifted.

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

**Tribunal's orders**

5. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.
6. Issue notice before admission returnable on 2.2.2021.
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 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.
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. 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.

Sd/-

(P.N. Dixit)  
Vice-Chairman  
5.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson  
5.1.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

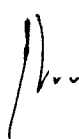

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>05.01.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 08/2021</u></b></p> <p>Shri D.M Bansode ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri R.L Kulkarni, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, Police Inspector, attached to Security Branch, Thane Rural, Thane, seeks the direction that the Respondents should nominate his name for the United Nation Selection Assistance and Assessment Team SAAT of 2020-2022 Examination, which is likely to be scheduled in the month of March, 2021.</p> <p>3. Learned counsel submits that the officer is meritorious and having very good record in the Police Department. He was earlier sent to Sudan on deputation in the Mission of United Nation Peace Keeping Force at Sudan in the year 2008 and again he was sent for the same Mission for one year in 2016. Learned counsel submits that on 15.7.2020, a Circular was issued by the Under Secretary, Home Department of India, requesting all Chief Secretary of the State to nominate 10 names of for the Mission. In the said letter, the eligibility conditions were also mentioned. Learned counsel further submitted that while preparing the list of 14 nominees, two Police Inspectors who are of 55 years and whose tenure is less than 3 years are also included. Learned counsel submits that earlier his name was included in the first list, however, it was dropped subsequently. Learned counsel submitted that the applicant had made representations on 10.8.2020 and 12.9.2020. However, the D.G.P has not either considered or replied to these representations.</p>

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

**Tribunal's orders**

4. Learned C.P.O submits that office of D.G.P will consider the representations made by the applicant.
5. In view of the nature of prayer and submissions made, the Original Application is disposed of with following directions.
- (a) The two representations date 10.8.2020 and 12.9.2020 made by the applicant to the Director General of Police are to be decided by 28.2.2021 by the Director General of Police or Officer who is holding the charge of D.G.P, Maharashtra State, Mumbai and decision to be communicated to the applicant by 5.2.2021
- (b) While nominating the Police Personnel, the State of Maharashtra to follow the eligibility criteria in clause no. 7 of letter dated 15.7.2020 sent by Mr S. Muthukumar, Under Secretary, Government of India.
6. Hamdast granted.

 <sup>12</sup>  
Sd/- 

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

Akn


**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><b><u>05.01.2021</u></b></p> <p align="center"><b><u>O.A 745/2020</u></b></p> <p>Smt L.Z Newadkar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicant, Sub Treasury Officer, prays that the order dated 17.8.2020, passed by Respondent no. 1, declining the deemed date of promotion to the post of Assistant Accounts Officer is to be quashed and set aside.</p> <p>3. Issue notice returnable on 2.2.2021.</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 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. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 2.2.2021.</p> <p align="right">   Sd/- _____  <b>(Mridula Bhatkar J.)</b>  <b>Chairperson</b> </p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

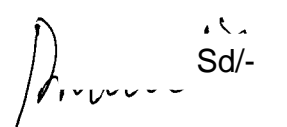
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**FARAD CONTINUATION SHEET No.**

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>05.01.2021</b> Tribunal's orders</p>
	<p><b><u>O.A 278/2020</u></b></p> <p>Shri V.V Bhadange ... Applicant Vs. The State of Maharashtra &amp; 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 C.P.O states that affidavit in reply of September, 2020 is filed today.</p> <p>3. Matter is fixed on 11.1.2021.</p> <p style="text-align: right;"> Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>



**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
	<p><b><u>05.01.2021</u></b></p> <p><b><u>O.A 336/2020</u></b></p> <p>Shri M.L Swami ... Applicant Vs. The State of Maharashtra &amp; 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. In this matter order dated 5.11.2020 passed by this Tribunal is not complied with.</p> <p>3. S.O to 11.1.2021.</p> <p style="text-align: right;">Sd/-  <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**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
	<p><b><u>05.01.2021</u></b></p> <p><b><u>O.A 39/2020</u></b></p> <p>Shri A.J Tambe &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale,, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files affidavit in reply. The same is taken on record.</p> <p>3. Admit.</p> <p>4. S.O to 1.3.2021 for final hearing.</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

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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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**05.01.2021**

**O.A 734/2020**

Smt M.H Gaikwad ... Applicant


Vs.

The State of Maharashtra & Ors ... Respondents

1. None for the applicant. Heard Ms Archana B.K, learned P.O for the Respondents.

2. The Respondents to inform whether the order dated 17.12.2020, passed by this Tribunal, regarding grant of provisional pension and arrears of provisional pension from December, 2019 are paid to the applicant or not.

3. S.O to 11.1.2021.

  
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
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**Date : 05.01.2021**

**O.A.No.600 of 2017**

**S. G. Dhanawade ....Applicant**

**Versus**

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

1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. The matter is taken up on today's board after it remains unattended due to Covid-19 Pandemic situation.
3. Pleadings are complete.
4. Original Application be kept for final hearing.
5. S.O. to 15.01.2021.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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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Date : 05.01.2021

O.A.No.297 of 2020

M. N. Chaudhary ....Applicant

Versus

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

1. The Applicant and his Counsel both are absent. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri A. V. Bandiwadekar, learned Counsel for the Respondent No.4.

2. Shri A. V. Bandiwadekar, learned Counsel for the Respondent No.4 submits that Advocate Shri D.B. Khaire who is representing the Applicant is busy in the High Court and he wants to file Sur-Rejoinder.

3. The matter is adjourned to 19.01.2021.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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><b>Date : 05.01.2021</b></p> <p><b>O.A.No.371 of 2020</b></p> <p><b>R. U. Bhosale</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 and 2 and Smt. L. Patne, learned Counsel for the Respondent No.3.</li> <li>2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</li> <li>3. Interim relief to continue till next date.</li> <li>4 The matter is adjourned for hearing at the stage of admission.</li> <li>5. S.O. to 29.01.2021.</li> </ol> <p style="text-align: right;">           Sd/-            (A.P. Kurhekar)            Member(J)         </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
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Date : 05.01.2021

O.A.No.581 of 2020

G. A. Jagtap

....Applicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.2. It is taken on record.

3. The matter is adjourned for hearing at the stage of admission with liberty to the Applicant to file Rejoinder, if any.

4. S.O. to 15.01.2021.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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
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Date : 05.01.2021

R.A. No.10 of 2020 in O.A.No.837 of 2019

D. K. Pajai .....Applicant

Versus

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

1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today, learned C.P.O. for the Respondents has filed short Affidavit-in-Reply on behalf of the Respondent No.2 in terms of order passed by this Tribunal on 22.12.2020. It is taken on record

3. On request of learned Counsel for the Applicant, the matter is adjourned for hearing of Review Application.

4. S.O. to 19.01.2021.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm