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

of 20

ΪN

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

Date: 05.03.2024

O.A. No.319 of 2024

P.A. Kshirsagar

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.D. Gugale, learned Pesenting Officer for the Respondents.

Learned Advocate for Applicant states that Applicant was posted on establishment of 'Superintendent of Police (Rural), Pune' on 27.02.2021. The Applicant has now been transferred from post of 'Police Inspector' in 'Security Branch' by order dated 24.02.2024 of 'Special I.G.P., Kolhapur Range' on grounds of completion of '3' years in last '4' years in 'Pune District' in accordance with directions in 'Election Commission of India' letter dated 21.12.2023.

Learned Advocate for Applicant further states that prior to being posted on establishment of '\$uperintendent of Police (Rural), Pune' the Applicant served as 'A.P.I.' on establishment of '¢ommissioner of Police, Pimpri – Chinchwad' from 01.07.2020 to 28.02.2021. Thereafter, the Applicant went on promotion as 'Police Inspector' to 'C.I.D. algaon' where he served from 15.05.2021 to 08.09.2021. Thus there was break in his service period within 'Pune District'. Hence tenure at 'C.I.D. Jalgaon' from 15.05.2021 to 03.09.2021 was not to have been counted in '3' Years in last '4' Years within 'Pune District'; as per directions in 'Election Commissioner of India' letter dated 21.12.2023.

Learned P.O. to therefore inform 'Special I.G.P., Kolhapur Range' to forthwith reconcile the length of all tenures of Applicant within 'Pune District' and inform

Tribunal's orders

as to whether he had completed '3' years in last '4' years in 'Pune District' as per directions in 'Election Commissioner of India' letter dated 21.12.2023. Till such time the Applicant is permitted to continue on post of 'Police Inspector' in 'Security Branch' on establishment of 'S.P. (Rural), Pune'. Further 'Special I.G.P., Kolhapur Range' to keep 'One Post' of 'Police Inspector' vacant till such time on establishment of 'S.P. (Rural), Pune'.

- 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 18.03.2024.
- 7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
- 8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
- 11. S.O. to 18.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

Tribunal's orders

Date: 05.03.2024

C.A.No.33/2024 in O.A.No.1268/2022

B.D. Kamble & Ors. Vs.

.Applicant

The State of Maharashtra & Ors.Respondents.

- 1. Heard Ms. Punam Mahajan, learned Counsel for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Issue notice before admission returnable on 19.03.2024.
- 3. 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.
- 4. 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.
- 5. 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.
- 6. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the eaption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.
- 7. Adjourned to 19.03.2024.

Sd/-(Medha Gadgil) Member (A)

Sd/-(Mridula Bhatkar, J.) Chairperson

prk

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 Tribunal's orders directions and Registrar's orders Date: 05.03.2024 'GROUP - I' (C.P., Pimpri – Chinchwad) O.A. No.114 of 2024 with O.A. No.115 of 2024 with O.A. No.122 of 2024 with O.A. No.124 of 2024 to O.A. No.127 of 2024 with O.A. No.144 of 2024 to O.A. No.147 of 2024 with O.A. No.150 of 2024 to O.A. No.153 of 2024 S.S. Gaikwad A.S. Pawar B.S. Sawant K.D. Patil R.P. Bobade D.D. Dhadge S.B. Godase V.V. Khule, P.S. Gokule S.J. Pinjan D.R. Salunke R.N. Ghadge S.B. Deshmukh P.V. Jadhav

'GROUP - II' (C.P., Pune & Thane)

O.A. No.123 of 2024 with O.A. No.129 of 2024 with O.A. No.148 of 2024 with O.A. No.156 of 2024 with O.A. No.135 of 2024 to O.A. No.137 of 2024 with O.A. No.161 of 2024 with O.A. No.194 of 2024

R.T. Chavan

S.N. Tambe

S.M. Patil

S.S. Gawade

V.J. Waghmare

A.C. Mahajan

R.V. Sahane

S.P. Jaitapurkar

A.M. Kshirsagar

A.S. Lambe

.....Applicants

.....Applicants

Tribunal's orders

'GROUP - III' (C.P., Nashik & S.P., Solapur, & Satara)

O.A. No.149 of 2024 with O.A. No.155 of 2024

V.G. Dhas
A.S. BhosaleApplicants
Versus
The State of Maharashtra & Ors.Respondents.

- 1. Heard Smt. Punam Mahajan, Shri M.D. Lonkar, Shri A.V. Bandiwadekar, Shri K.B. Jadhav, learned Advocate holding for Shri R.G. Panchal, learned Advocates for the Applicants. Shri A.J. Chougule, learned Presenting Officer for the Respondents in 'Group I', Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents in 'Group II', Smt. Archana B.K., learned Presenting Officer for the Respondents in 'Group III'.
- 2. Heard Shri Pradeep Rajgopal, learned Sr. Advocate for 'E.C.I' on behalf of 'Additional Chief Secretary' & 'Chief Election Officer, Maharashtra State'.
- 3. Learned Sr. Advocate for 'E.C.I' on behalf of 'Additional Chief Secretary' & 'Chief Election Officer, Maharashtra State' presents 'Tabular Chart' prepared by the Additional Chief Secretary and Chief Electoral Officer Maharashtra State as per directions in 'Para 8' of Order dated 27.02.2024 so as to summarize outcomes achieved following review meeting held on 20.02.2024 with 'D.G.P., Maharashtra State' and 'Commissioner of Police' Establishment' viz 'Director General of Police, along with 'Commissioners of Police Pimpri-Chinchwad; Pune, Thane & Nashik', and 'Superintendent of Police-Satara' & 'Solapur'.
- 4. Learned Sr. Advocate for 'E.C.I' on behalf of 'Additional Chief Secretary' & 'Chief Election Officer, Maharashtra State' relying on 'Tabular Chart' states that in respect of 'Police Inspectors' total of 226 'Transfer Orders' were review out of which (i) 105 'Transfer Orders' are to be 'Modified/Changed' (ii) 56 'Transfer Orders' are not required to be 'Modified/Changed' (iii) 65 'Transfer Orders' which are of 'Functional Posts' and 'Other Criteria' are given 'No Remarks'.
- 5. Learned PO thereupon refers to 'Para 7' of Order dated 27.02.2024 and submits copy of revised 'Transfer Order' dated 04.03.2024 of 'D.G.P., Maharashtra State'

Tribunal's orders

by which 65 'Police Inspector' have been reinstated on their earlier posts in 'Functional Departments' as per directions in 'Election Commissioner of India' letter dated 21.12.2023.

- 6. Learned Advocates of Applicants thereupon were heard to ascertain outcomes of revised Transfer Order dated 04.03.2024 of 'D.G.P., Maharashtra State' with respect to redressal of grievances of Applicants following the review meeting held by 'Additional Chief Secretary and Chief Electoral Officer Maharashtra State'. The 'Additional Chief Secretary and Chief Electoral Officer Maharashtra State' after the review meeting had issued detailed instructions to 'D.G.P. Maharashtra State' on 22.02.2022 regarding stringent implementation of directions in 'Election Commissioner of India' letter dated 21.12.2023.
- 6.1 Learned Advocate for Applicants in O.A. No.124/2024, O.A. No.125/2024 & O.A. No.150/2024 thereupon stated that these 3 Applicants had been transferred from establishment of 'Commissioner of Police' 'Pimpri Chinchwad' on grounds of 'Pune District' being their 'Home District'. However the reason for transfer is because 'Home Districts' have been wrongly recorded in their 'Service Books' which have still not been corrected although representations have been submitted by Applicants to 'D.G.P. Maharashtra State'.
- 6.2. Learned Advocate for Applicant thereafter states that 5 Applicants in 'O.A. No.151/2024, O.A. No.152/2024, O.A. No.152/2024, O.A. No.153/2024' have been transferred on grounds as 'Home District' and / or completion of tenure of '3' Years out of '4' Years in 'Pune District' but their request for retention in 'Pune District' was purely on 'Compassionate Grounds' such as (i) Ailments of Spouse & Family Members & (ii) Short Time left for Retirement.
- 6.3 Learned Advocate for Applicant in O.A. No. 129/2024 stated that Applicants has been retained in his earlier place of posting in establishment of 'Commissioner of Police, Thane' by Order dated 04.03.2024 of 'D.G.P., Maharashtra State'.
- 6.4 Learned Advocate for Applicant in O.A. 161/2024 states that Applicant does not want to pursue further with redressal of grievance and now wants to join

Tribunal's orders

on post of 'Police Inspector' in establishment of 'Commissioner of Police, Nagpur' as per 'D.G.P., Maharashtra State' Order dated 30.01.2024.

- 6.5. Learned Advocate for Applicant in O.A. 135/2024 & O.A. No.136/2024 also states that Applicants do not want to persue further with their redressal of grievance and have now joined on posts 'Police Inspectors' as per Order dated 24.01.2024 of 'Commissioner of Police, Pune'.
- Learned Advocates for Applicants thereafter 7. were informed to peruse the 'Tabular Charts' submitted by 'Additional Chief Secretary and Chief Electoral Officer, Maharashtra State' and correlate them to revised 'Transfer Order' dated 04.03.2024 of 'D.G.P., Maharashtra State' so as to by 'Next Date' confirm in which of the O.A.'s out of 'Group-I' to 'Group-III'; grievances of Applicants have been redressed and therefore those O.As can be disposed off. The O.A's which were quickly identified although tentatively for disposal on 'Next Date' O.A. No.114/2024, O.A. No.122/2024, No.126/2024, O.A. No.127/2024, O.A. No.129/2024, O.A. No.144/2024, O.A. No.145/2024, O.A. No.146/2024, O.A. No.147/2024, O.A. No.123/2024, O.A. No.148/2024, O.A. No.194/2024, O.A. No.149/2024, O.A. No.161/2024, O.A. No.135/2024 and O.A. No.136/2024'.
- 8. Learned P.O. to seek 'Additional Information' about subsisting grievance of Applicants in O.A. No. 124/2024, O.A. No.125/2024 & O.A. No.150/2024 relating to corrections of entries in 'Service Records' relating to 'Home District' and in respect of Applicants in 'O.A. No.151/2024, O.A. No.152/2024, O.A. No.152/2024, O.A. No.155/2024, O.A. No.153/2024' which relate to consideration of their requests for retention in 'Pune District' on 'Compassionate Grounds', so that these can be accordingly heard based on 'Additional Information' received from 'D.G.P. Maharashtra State'.
- 9. 'Interim Relief' thus be continued only in respect of 8 O.As mentioned in 'Para 8' till 'Additional Information' received from 'D.G.P. Maharashtra State' is considered on the 'Next Date'.

10. S.O. to 13.03.2024.

Sd/-

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

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Original Application No.	olication 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		
	Date: 05.03.2024		
	O.A. No.316 of 2024		
	R.R. DivteApplicant		
	Versus The State of Maharashtra & OrsRespondents.		
	1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.		
	2. Learned Advocate for Applicant states that the Applicant is working on post of 'Police Sub Inspector (Traffic)' in the establishment of 'Commissioner of Police, Pimpri - Chinchwad'.		
	B. Learned Advocate for Applicant contends that the Applicant has been transferred on grounds of 'Home District'. However the 'Home District' of the Applicant is 'Ahmednagar District' and not 'Pune		

- unds of of the t 'Pune District'.
- Learned P.O. states that 'Transfer Order' dated 26.02.2024 of 'D.G.P. Maharashtra State' is only on grounds of 'Home District'.
- Learned P.O. therefore informed to ascertain from office of 'D.G.P. Maharashtra State' as to whether 'Home District' of Applicant is 'Pune District or it is 'Ahmednagar District' as per entries in 'Service Book'.
- The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- Issue notice before admission returnable on 11.03.2024.

Tribunal's orders

- 8. 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.
- 9. 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.
- 10. 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.
- 11. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
- 12. S.O. to 11.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

NMN

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

O5.03.2024

M.A 594/2023 in O.A 574/2023

S.I Bhosale ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
- 2. Learned C.P.O is directed to file affidavit in reply within one week.
- 4. S.O to 12.3.2024.

Sd/-(Medha Gadgil) Member (A)

Sd/-

(Mridula Bhatkar, J.) Chairperson

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Original Application No.	of 20	DISTRICT	
			Applicant/s
Advocate		.)	
	ι	versus	
The St	ate of Ma	harashtra and others	
			Respondent/s
Presenting Officer	••••••)	
Office Notes, Office Memoranda of Corar Appearance, Tribunal's orders or directions and Registrar's orders	n,	Tribunal's orders	
		Date: 05.03.2024	
		M.A. No.626 of 2023 in O.A	No. 1190 of 2023
		The Maharashtra Agro. Ind. Dev Ltd. H.O. Through its Mangaing I	
		Krushi Udyog Bhavan. Versus	Applicant
		J.R. Dere	Respondents
		1. Heard Ms. Darshana Kade holding for Shri V.B. Joshi, lea Applicant in M.A. No.626/2023 Smt. Archana B.K., learned Pre Respondents, Shri K.R. Jagdale, the Applicant in O.A. No.1190/20	rned Advocate for the in O.A. No.1190/2023 senting Officer for the learned Advocate for
		2. Learned PO files 'Additi on behalf of 'Principal Secreta Fisheries & Dairy Developmer 21.02.2024. It is taken on record	ry, Animal Husbandry nt Department' dated
		3. Learned Advocate for A 'MAIDC' states that liberty be gi 'One Week' to file 'Affidavit-in-R Affidavit-in-Reply' filed by 'Prine Husbandry, Fisheries & Dairy Dev dated 21.02.2024. Time as pralearned Advocate on behalf of 'N	iven along with time of ejoinder' to 'Additiona cipal Secretary, Anima relopment Department' ayed for is granted to
		4. S.O. to 02.04.2024.	
			Sd/-
		(De	bashish Charrabarty)

Member (A)

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

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Original Application No.

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

C.A.29/2024 in O.A.985/2023

A.R. Shinde & Ors. Vs.

... Applicants

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri S.S. Dere, leaned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. Not on Board. Taken on Board.
- 3. The learned Advocate for Applicants submits that since Applicants are relieved and the order of Tribunal is followed, the Applicants do not want to prosecute with Contempt Application.
- 4. The learned CPO submits to the orders of the Court.
- 5. CA No.29/2024 stands disposed of accordingly.

(Debashish Chakrabarty) Member-A 05.03.2024 (Mridula Bhatkar, J) Chairperson 05.03.2024

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

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Original Application No.

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

O.A.1107/2023 with OA 1121/2023, 761/2023, 1021/2023, 1059/2023, 1297/2023 & 1370/2023

Dr. N.P. Banage

Dr. T.S. Uike & Ors.

Dr. S.K. Singh & Anr.

Dr. R. Karhade & Ors.

Dr. S.A. Humne (Bhagat) & Ors.

Dr. A.I. Khanvilkar

Dr. D.L. Charke

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri A.A. Desai, leaned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. S.O. to 2nd April, 2024.

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(Debashish Chakrabarty) Member-A 05.03.2024 (Mridula Bhatkar, J) Chairperson 05.03.2024

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

O.A.1406/2023 with OA 1450/2023, OA 1477/2023, OA 1549/2023 & OA 11/2024

Dr. S.H. Darveshi
Dr. Smita S. Parkhe
Dr.M. Nayyar & Ors.
Dr. S.M. Sonawane & Anr.
M.A. Patil
Dr. S.R. Katke
Vs.

... Applicants

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri A.A. Desai, learned Advocate and Shri S.V. Kate, learned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. The learned Advocate for Applicants submits that on 06.02.2024, a relief was granted to Applicant No.2 i.e. Dr. Smita Parkhe. However, it is not appearing in the order. The learned Advocate for Applicants further submits that Dr. Smita Parkhe has instructed him that she is not interested in pursuing the matter for personal reasons and therefore, she wants to withdraw her prayers. The learned Advocate for Applicant seeks permission to do so.
- 3. The learned CPO submits that Dr. Smita Parkhe is allowed to withdraw her prayers and allowed to withdraw her name in this application.
- 4. Thus, no 'Interim Relief' was granted to Applicant No.2 Dr. Smita Parkhe. She is already retired on 31st May, 2023 and therefore, any further consequential order is issued, it may not be given effect.
- 5. The learned CPO confirms the submissions made by learned Advocate for Applicants.
- 6. In view of submissions made by learned Advocate for Applicants, we will pass order accordingly of her withdrawal and non-prosecution before this Tribunal from 06.02.2024.

Tribunal's orders

- 7. The learned Advocate for Applicants submits that though Applicant No.2 Dr. Smita Parkhe was allowed to withdraw OA on 06.02.2024 by this Tribunal and she has not sought any 'Interim Relief' from this Tribunal, she stood retired on 31.01.2023. However, as this fact was not mentioned in order dated 06.02.2024 and matter is fixed today interregnum, the Department passed order on 01.03.2024 of her reinstatement to her previous post and she is directed to join forthwith. The learned Advocate for Applicants submits that the order of reinstatement was passed in view of interim protection and order passed by this Tribunal in OA 1406/2023.
- On the above background of submissions made by learned Advocate for Applicants, it is necessary to clear that Applicant No.2 - Dr. Smita Parkhe has withdrawn from OA No.1406/2023 and no 'Interim Relief' was granted to her protecting her service after her retirement i.e. on 31.05.2023. Thus, Applicant No.2 - Dr. Smita Parkhe stood retired on 31.05.2023. She was not a beneficiary of 'Interim Order' passed by this Tribunal on 06.02.2024, as she was not prosecuting any matter before us on that day. Therefore, if order dated 01.03.2024 passed by Government based on 'Interim Relief' granted by this Tribunal in OA No.1406/2023, it is in fact not made applicable to Dr. Smita Parkhe.
- 9. We request learned CPO to communicate this order to Respondent-Department about withdrawal of order of reinstatement of Applicant No. 2 Dr. Smita Parkhe.

10. S.O. to 2/4/2024.

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(Debashish Chakrabarty) Member-A 05.03.2024 (Mridula Bhatkar, J) Chairperson 05.03.2024

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

O.A.53/2024

B.S. Kendre Vs. The State of Mah. & Ors. ... Applicant

... Respondents

- 1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.
- 2. On 18.11.2017, the Charge-sheet was issued and the incident is of 2010-2011. As on 18.11.2017, no Enquiry Officer is appointed.
- 3. The learned Advocate for Applicant seeks 'Interim Stay' to DE on the ground of inordinate delay.
- 4. The learned PO submits that Enquiry Officer is appointed on 17.03.2023. She seeks time to file Affidavit-in-Reply. Time Granted. Copy to be served on other side.
- 5. S.O. to 11th March, 2024.

(Debashish Chakrabarty) Member-A 05.03.2024 (Mridula Bhatkar, J) Chairperson 05.03.2024

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

O.A.229/2024

Dr. P.R. Bhuyekar Vs. The State of Mah. & Ors. ... Applicant

... Respondents

- 1. Heard Smt. Punam Mahajan, learned Advocate for Applicant, Ms. S.P. Manchekar, learned CPO for Respondents and Shri K.S. Jadhav, learned Advocate holding for Shri R.G. Panchal, learned Advocate for Respondent No.3.
- 2. The learned Advocate for Respondent No.3 seeks time.
- 3. The learned CPO submits that both the parties will file separate 'Affidavit-in-Reply'
- 4. S.O. to 19th March, 2024.

(Debashish Chakrabarty) Member-A 05.03.2024 (Mridula Bhatkar, J) Chairperson 05.03.2024

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

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FARAD CONTINUATION SHEET NO.

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

Tribucal's orders

O.A.251/2024

S.A. Ughade Vs. The State of Mah. & Ors. ... Applicant

... Respondents

- 1. Heard Shri S.S. Dere, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. S.O. to 12th March, 2024.

(Debashish Chakrabarty)
Member-A
05.03.2024

(Mridula Bhatkar, J) Chairperson 05.03.2024

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

Tribucal's orders

O.A.307/2024

R.V. Kothmire Vs. ... Applicant

vs.
The State of Mah. & Ors.

... Respondents

- 1. Heard Shri K.R. Jagdale, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. He is holding the post of Police Inspector and he is retiring on 31st May, 2024. He is facing the prosecution for the offences punishable under Sections 384, 386, 387, 109, etc. at Cr. No.0151/2021 in Thane Nagar Police Station.
- 3. The learned Advocate for Applicant submits that GR datred 15.12.2017 which is based on **Jankiraman's** case will not come in the way of Applicant while giving the promotion.
- 4. S.O. to 19th March, 2024 under the caption of 'Urgent Admission'.

(Debashish Chakrabarty) Member-A 05.03.2024 (Mridula Bhatkar, J) Chairperson 05.03.2024

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

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Tribunal's orders

M.A.161/2024 in O.A.500/2019

S.B. Gadekar

... Ori. Resp. No.6

And

Shri S.C. Donglikar

... Ori. Applicant

Vs.

The State of Mah. & Ors.

... Respondents

- 1. Heard Shri A.V. Sakolkar, learned Advocate holding for Shri V.B. Wagh, leaned Advocate for Respondent No.6 and Ms. S.P. Manchekar, learned CPO for Respondents.
- 2. This matter was transferred from MAT, Aurangabad Bench to Mumbai by order dated 12.01.2021 on the ground that there was no Division Bench available. Now, Division Bench is available there at MAT, Aurangabad Bench.
- 3. Therefore, learned Advocate wants to transfer this matter from MAT, Mumbai to MAT Bench at Auranabad. Permission Granted.
- 4. MA No.161/2024 stands disposed off accordingly.

(Debashish Chakrabarty) Member-A 05.03.2024 (Mridula Bhatkar, J) Chairperson 05.03.2024

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Office Notes, Office Memoranda of Coram.
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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.157/2024 in O.A.06/2024

S.K. More & Ors. Vs.

The State of Mah. & Ors.

... Applicants

... Respondents

- 1. Heard Shri C.T. Chandratre, learned Advocate for Applicants, Ms. S.P. Manchekar, learned CPO for Respondents, Shri U.V. Bhosle, learned Advocate for Respondent No.25 and Shri K.R. Jagdale, learned Advocate for Respondent Nos.4,5,13,15,22,26,27,29,30 & 33.
- 2. In this OA, the Applicants who are working as Assistant Accounts Officers challenging the communication dated 22.02.2022 qua Applicants and pray for suitable orders.
- 3. The Applicants further seek directions to Respondent No.2 to restore the seniority of Applicants on the basis of their continuation officiation in the post of Assistant Officers and recast the Final Seniority List as on 01.01.2021. 'Interim Application' is filed with prayer that Respondents be restrained from issuing the orders pursuant to letter dated 01.03.2024 by which 'Options' are sought or in alternative, in Konkan-2 Division, 9 posts of these Officers are to be kept vacant.
- 4. The learned Advocate for Applicants submits that as per 'Divisional Allotment Rules' notified on 14.07.2021, the procedure is required to be followed. As per Clause 5 of said Rules, this 'Allotment of Divisions' is on the basis of availability and ranking in 'Seniority List' in 'Feeder Cadre'.
- 5. The learned Advocate for Applicants pray for 'Ad-Interim Relief'. At present, we are unable to appreciate the prayer of granting 'Ad-Interim Relief' on the ground firstly that time is required to be given to file Affidavit-in-Reply to MA and secondly, 'Seniority List' which is the main ground of challenge in this OA is of 22.02.2022. So the 'Seniority List' was known to Applicants

Tribunal's orders

two years back. However, all Applicants remained silent.

- 6. Shri K.R. Jagdale, learned Advocate and Shri U.V. Bhosle, learned Advocate for private Respondents submits that there are 201 posts and the Applicants are going to be promoted.
- 7. Issue notice returnable on 15.03.2024.
- 8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 9. 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.
- 10. 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.
- 11. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the O.A. shall stand dismissed.
- 12. 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.
- 13. S.O. to 15th March, 2024.

(Debashish Chakrabarty)
Member-A
05.03.2024

S// (Mridula Bhatkar, J)
Chairperson
05.03.2024

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders	
	O.A. No.798 of 2023	
	R.A. Bariya & Ors. Vs.	Applicants
	The State of Maharashtra & Ors.	Respondents
	Heard Shri C.K. Bhangoji, lea Applicants and Shri A.J. Chougul Officer for the Respondents. None for	e, learned Presenti
	2. Ld. Advocate for the applicants seeks time to rejoinder.	
	3. S.O. to 5.4.2024.	
		Sd/-
		Medha Gadgil)

(Medha Gadgil) Member (A) 5.3.2024

(sgj)

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

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	K.S. More Vs.	Applicant
	The State of Maharashtra & Ors.	Respondents
	Heard Shri A.U. Pawar, I Applicant and Smt. Archana E Officer for the Respondents. 2. Ld. PO files reply dated no.2.	3.K., learned Presenti
	3. Admit.	
	4. S.O. to 19.4.2024 for final harejoinder.	nearing with liberty to fi
		Sd/-
		(Medha Gadgil) Member (A) 5.3.2024

(sgj)

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	
	M.A. No.38 of 2024 in O.A.	No.66 of 2024
	U.R. Talekar Vs.	Applicant
	The State of Maharashtra & Ors.	Respondents
	Heard Shri R.L. Kulkarni, lea Applicant and Smt. K.S. Gaikwa Officer for the Respondents.	arned Advocate for th d. learned Presentin
	2. Ld. PO seeks time to file reply	
	3. S.O. to 14.3.2024 by way of la	st chance.
		Sd/-
		Medda Ga d gil)

(sgj)

Member (A) 5.3.2024

Tribunal's orders

O.A. No.308 of 2024

K.D. Dhondge

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

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

- 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 21.3.2024. The respondents are directed to file reply.
- 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. 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 OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.

Sd/-

(Medha Gadgil) Member (A) 5.3.2024

(sgj)

Tribunal's orders

O.A. No.296 of 2024

G.M. Kokate

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.

- 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 2.4.2024. The respondents are directed to file reply.
- 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. 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 OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.

Sd/-

(Medh**#** Gad**#**il) Member (A) 5.3.2024

(sgj)

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	05.03.2024	
	M.A 730/2023 in 731/2023 in O.A 1440	
	R.K Deorukhkar M.M More Vs. The State of Maharashtr	Applicants
	1. Heard Shri K.R	ra & Ors Respondents Jagdale, learned advocate for t K.S Gaikwad, learned P.O for
	2. Learned P.O is di way of last chance.	irected to file affidavit in reply by
	3. S.O to 19.3.2024	
	Sd/- (Medha Gadgil)	Sd/-
	Member (A)	(Mridula Bhatkar, J.) Chairperson

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Tribunal's orders

Date: 05.03.2024

O.A. No.872 of 2023

A.A. Pawar

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 15.03.2024.

Sd/-

(Debashish Chak abarty)
• Member (A)

NMN

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Tribuani's orders

Date: 05.03.2024

O.A. No.1535 of 2023

P.V. Gavte

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri Ashish Gabhole, learned Advocate holding for Shri Jay & Co. for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned P.O. has filed 'Affidavit-in-Reply' on behalf of Respondent No.2. It is taken on record.
- 3. 'Interim Relief' to continue till 'Next Date'.
- 4. S.O. to 11.03.2024.

Sd/-(Debashish Chakrabarty) Member (A)

NMN

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Tribumal's orders

Date: 05.03.2024

O.A. No.277 of 2024 with O.A. No. 278 of 2024

S. C. Shinde

S.M. Kasbe

......Applicants

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, & Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 19.03.2024.

Sd/-(Debashish Charrabarty) Member (A)

AGR

Tribunal's orders

Date: 05.03.2024

O.A. No.317 of 2023

S.R. Tengale

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 11.03.2024.
- 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.
- 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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
- 8. S.O. to 11.03.2024.

Sd/-

(Debashish Chakkabarty) Member (A)

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

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

Tribunal's orders

Date: 05.03.2024

O.A. No.1465 of 2023

S.S. Jathure

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer Respondent No. 1 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent No. 2.
- 2. Learned PO has filed 'Affidavit-in-Reply' on behalf of Respondent Nos.1 to 3. It is taken on record.
- 3. S.O. to 14.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

AGR

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Tribunal's orders

Date: 05.03.2024

O.A. No.1475 of 2023

R.A. PatilApplicant

Versus

The State of Maharashtra & Ors.Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri M.D. Lonkar, learned 'Special Counsel' for the Respondent No.1 and Shri U.V. Bhosale, learned Advocate for the Respondent No. 2.
- 2. 'Interim Relief' to continue till 'Next Date'.
- 3. S.O. to 12.03.2024.

Sd/-

(Debashish Charrabarty) Member (A)

AGR

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

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Tribe : l's orders

Date: 05.03.2024

O.A. No.1464 of 2023 with O.A. No. 1485 of 2023

S.A. Kotkar & Ors.

D.G. Hiwale

.....Applicants

Versus 1

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, and K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. 'Interim Relief' to continue till 'Next Date' in O.A. No. 1464 of 2023 with O.A. No. 1485 of 2023.
- 3. S.O. to 12.03.2024.

Sd/-

(Debashish Chakrabarty) Member (A)

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

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Tribunal's orders

05.03.2024

M.A 136/2024 in O.A 928/2023

Y.V Bhise & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Kranti L.C with Shri Kaustub Gidh, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.
- 2. The Misc Application is filed by the Original Applicants who have participated in the selection process for the post of Talathi in District Sangli and Satara. Learned counsel submits that in Satara District there are 153 posts and in Sangli District there are 98 posts of Talathis. It is prayed that one post each of Talathi be kept vaant in Satata and Sangli District as the select list is published on 29.2.2024 and the names of the applicants are not shown. Learned counsel submits that pursuant to the order of this Tribunal dated 29.11.2023 it was binding on the Respondents to consider the applicants as they have secured more than 50% of the marks.
- 3. Learned C.P.O submits that the Respondents have conducted the examination through TCS and there are objections to four questions in the Answer Key and therefore, the TCS is likely to revise the Answer Key and the select list. Thus, a period of eight days is required.
- 4. Learned counsel for the applicants submit that the applicant No. 1 had secured 127 marks out of 200 marks and applicant No. 2 had secured 118 out of 200 marks. So 50% of the total marks comes to 100 marks. Therefore, assuming that the applicants will lose 2 marks for 4 questions, i.e., 8 marks still they remain above the 50% marks.
- 5. In view of the above, we direct the Respondents to keep one post of Talathi vacant at District Sangli and Satara.
- 6. Accordingly, Misc Application stands dispsosed of.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

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

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05.03.2024

M.A 155/2024 in O.A 1479/2023

D.K Jagtap

... Applicant/

Intervenor

Vs.

The State of Maharashtra & Ors

... Respondents

B.P Godage

...Ori Applicant

- 1. Heard Shri K.R Jagdale, learned advocate for the applicant /Intervenor, Ms Swati Manchekar, learned C.P.O for the Respondents and Smt Punam Mahajan, learned counsel for the original Applicant.
- 2. This Misc Application is moved by the applicant-intervenor for recalling the order of stay passed by this Tribunal on 14.12.2023 in O.A 1479/2023. Learned counsel for the applicant submits that in the Misc Application he first seeks permission to be allowed to intervene in this Original Application.
- 3. Learned counsel Smt Punam Bhajan, submits that the copy of the Misc Application was served on her yesterday on Whatsapp and she seeks time to file reply.
- 4. Learned counsel for the applicant is directed to file reply and serve copy on both sides before 12.3.2024.
- 5. S.O to 14.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

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Tribunal's orders

05.03.2024

M.A 647/2023 in O.A 291/2023

N.P Bhosale & Ors

... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

- Heard Shri K.S Jadhav, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents. None present for the Respondent No. 4.
- Learnd counsel seeks permission to withdraw the Misc Application No. 647/2023 as he wants to amend the Original Application by filing fresh Misc Application.
- Permission granted. Misc Application No. 647/2023 stands disposed of as withdrawn.

Sd/-

(Medha Gadgil) Member (A)

Sd/-

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

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

Tribunal's orders

05.03.2024

M.A 7192/2023 in O.A 1462/2023

G.S Ahankari

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri K.R Jagdale, learned advocate for the applicant, Smt K.S Gaikwad, learned P.O for the Respondent No. 1 and Shri B.A Bandiwadekar, learned counsel for Respondent No. 2.
- Learned counsel Shri Bandiwadekar files affidavit in reply.
- Learned counsel for the applicant seeks time to file rejoinder.
- S.O to 16.4.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A)

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

Tribunal's orders

05.03.2024

M.A 730/2023 in O.A 1439/2023 with M.A 731/2023 in O.A 1440/2023

R.K Deorukhkar

M.M More

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri K.R Jagdale, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.
- 2. Learned P.O is directed to file affidavit in reply by way of last chance.
- 3. S.O to

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

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Tribunal's orders

05.03.2024

M.A 734/2023 in O.A 1163/2023

The State of Maharashtra & Ors

.. Applicants

(Ori Respondents)

Vs.

O.B Adake

... Respondent (Ori Applicant)

- 1. Heard Ms Swsti Manchekar, learned C.P.O for the Applicants (Ori Respondents) and Shri S.S Dere, learned counsel for the Respondent (Ori Applicant).
- 2. Learned C.P.O produces list of 4 PSI from Batch No. 117 who were absorbed in service by order dated 6.8.2021. They were given appointment in Mumbai City on 13.1.2021 to 30.6.2023 and subsequently they were transferred to SPU on 30.6.2023. Learned C.P.O submits that all these four PSIs have put in 2 ½ years as PSI as their first posting in Mumbai City. The said list is taken on record and marked as Exh. I. Learned CPO submits that these 4 PSIs have appeared for the SPU examination in the year 2022 and they cleared the examination and therefore they were recommended by SPU.
- 3. The present Misc Application is filed by the Applicants (Ori Respondents) praying for extension of period of 4 months to approach the Bombay High Court challenging the order dated 3.11.2023 passed in O.A 1163/2023.
- 4. The present Misc Application is filed on 28.11.2023. So from 28.11.2023 till 28.2.2023 already 3 months are over. Further, till today Writ Petition is not filed. Three months' time was sufficient for the Applicants (Ori Respondents) to approach the Hon'ble Bombay High Court.
- 5. In view of the above, Misc Application is rejected.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

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

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05.03.2024

M.A 78/2024 in O.A 213/2018 with M.A 85/2024 in O.A 214/2018

A.A Walvekar

V.S Suryawanshi

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri S.D Patil, learned advocate for the applicants and Smt K.S Gaikwd, learned P.O for the Respondents 1 & 2 and Shri K.K Khamdari, learned counsel for Respondent No. 3.
- 2. Learned counsel for Respondent No. 3 seeks time to file reply.
- 3. S.O to 26.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

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Tribunal's orders

05.03.2024

M.A 121/2024 in O.A 385/2019

Kadam S.S & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. None present for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.
- 2. Misc Application is filed seeking early hearing of the Original Application.
- 3. S.O to 26.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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 Tribunal's orders directions and Registrar's orders 05.03.2024

O.A 325/2018 with O.A 13/2020

A.M Jadhav

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri M.D Lonkar, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents, Shri D.B Khaire, learned counsel with Shri Chandrate, learned counsel for the Respondents No. 3.
- 2. Learned C.P.O request for time.
- 3. S.O to 15.3.2024.

Sd/-

Member (A)

(Medha Gadgil)

Sd/-

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

05.03.2024

R.A 15/2023 in M.A 780/2023 in O.A 414/2021

Dr N.S Padmapani

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Kranti L.C, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.
- 2. Learned C.P.O submits there is a delay of 1 ½ years. Learned counsel submits that the applicant has earlier filed proceedings before the Hon'ble High Court and subsequently she withdrew the said proceedings and filed fresh Original Application. Learned counsel submits that there is substantial question of law and hence delay in filing the Review Application should be condoned.
- 3. In view of the above submissions, the delay of 1 ½ years if condone.
- 4. Accordingly, Misc Application seeking condonation of delay is allowed.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

05.03.2024

R.A 15/2023 in O.A 414/2021

Dr N.S Padmapani

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Kranti L.C, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.
- 2. Issue notice returnable on 19.3.2024.
- 3. Learned C.P.O waives service of notice. Respondents are directed to file affidavit in reply within one week.
- 4. S.O to 19.3.2024.

Sd/-

5u/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

05.03.2024

O.A 400/2017

V.B Ghogare & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri M.D Lonkar, learned advocate for the applicants, Ms Archana B.K, learned P.O for the Respondents No 1, 2, 3 & 4 and Shri B.A Bandiwadekar, learned counsel for the Respondents No. 5, 6, 7, 9 to 13, 15, 16, 17 & 18.
- 2. Learned P.O request for time to file reply.
- 3. S.O to 18.3.2024.

Sd/-

(Medha Gadgil) Member (A) Sd/-

(Mridula Bhatkar, J.) Chairperson

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

05.03.2024

C.A 11/2024 in O.A 356/2022

A.R Kore

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.
- Learned P.O submits that interest is paid to the applicant. Further, Earned Leave will also be paid. The proposal regarding payment of regular pension is pending with the office of the Accountant General.
 - Learned P.O seeks time to take instruction.
- S.O to 19.3.2024.

Sd/-

Sd/-

(Medha Gadgil) Member (A)

Tribunal's orders

Date: 05.03.2024

O.A.No.1368/2023 with O.A.No.1442/2023

Dr. B. Lad

.Applicants

Vs. The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. S. Chinnappa, learned Counsel for the Applicant in O.A.No.1368/2023 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. O.As though adjourned to 06.03.2024 is taken up at the request of learned Advocate Mr. Chinnappa.
- 3. Learned Counsel Mr. Chinnappa seeks adjournment till 19.03.2024 for filing rejoinder in O.A.No.1368/2023.
- 4. Time granted. Adjourned to 19.03.2024. Interim relief, if any, to be continued.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A.No.1317/2023

R.R. Kamble

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. R.M. Kolge, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.
- 2. Learned P.O. has submitted that during the course of the day reply will be filed.
- 3. Adjourned to 12.03.2024 for filing rejoinder.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A.No.907/2023

K.N. Sukalwar

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Mr. R.K. Mendadkar / Mr. C.K. Bhangoji, learned Counsel for the Applicant are absent.
- 3. At the request of learned P.O. adjourned to 12.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

M.A.No.595/2023 in O.A.No.385/2022

C.B. Talwar & Ors.

.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

- Heard Mr. C.T. Chandratre, learned Counsel for the Applicant in M.A.No.595/2023, Ms. Punam Mahajan, learned Counsel for the Applicant in O.A.No.385/2022 and Mr. A.J. Chougule, learned Presenting Officer for the Respondents. Applicant present in person.
- At the request of learned P.O. adjourned to 12.03.2024 for filing reply. Interim relief, if any, to be continued.

SD/-

SD/-

(Medha Gadgil) Member (A)

Tribunal's orders

Date: 05.03.2024

C.A.No.13/2024 in O.A.No.595/2022

S.R. Misal

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents. Applicant present in person.
- 2. Mr. D.B. Khaire, learned Counsel for the Applicant is absent.
- 3. Learned P.O. Mr. Chougule has submitted that in the next CSB meeting for general transfer, the Applicant's case will be considered for Executive Post in Mumbai considering his ailment of cancer.
- 4. Applicant in person has submitted that his case was not considered in the last CSB in spite of the order passed by this Tribunal.
- 5. Commissioner, State Excise Department is directed to file affidavit about compliance of the order passed by this Tribunal stating effect of giving the Applicant Executive post by renewing his posting at Mumbai.
- 6. Adjourned to 12.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A. No.318 of 2024

J.P. Gaikwad

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 26.03.2024.
- 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.
- 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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
- 8. S.O. to 26.03.2024.

Sd/-

(Debashish Chaki barty)
Member (A)

Tribunal's orders

Date: 05.03.2024

C.A.No.90/2023 in O.A.No.13/2017

N.S. Navale

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Ms. Darshana Kambli, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents
- 2. Learned Counsel Ms. Kambli has submitted that she has filed rejoinder on the last date i.e. 25.01.2024.
- 3. Learned P.O. has submitted that Government wants to file sur-rejoinder.
- 4. We direct the Respondent to forward the file to the Industry, Energy and Labour Department, Mantralaya on or before 07.03.2024, thereafter the Commissioner, Industry, Energy and Labour Department to send proposal to the G.A.D. on or before 14.03.2024.
- 5. Adjourned to 19.03.2024 for reporting compliance.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A.No.466/2018

M.R. Tambe & Ors.Applicants Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents
- 2. Adjourned to 12.03.2024.

SD/-

SD/~

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A.No.775/2017

S.N. Raktate

....Applicant

Vs

The State of Maharashtra & Ors.Respondents.

- Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents
- Mr. A.D. Parsekar, learned Counsel for the 2. Applicant is absent.
- Applicant retired on 31.12.2013 from the post of Additional Collector has filed O.A. on 10.08.2017 with the prayer that he should be given deemed date of monetary benefit on the post of Additional Collector w.e.f. 12.12.2012 and the name of the Applicant should be added in the select list of Additional Collector and Selection Grade Additional Collector w.e.f. 15.12.2012 and he should be given proper placement in the seniority list.
- In view that neither the Applicant nor the learned Counsel has appeared on last occasions, matter is kept under the caption 'For Dismissal' for want of prosecution.
- Adjourned to 07.03.2024. To be shown under the caption 'For Dismissal'

SD/-

SD/-

(Medha Gadgil) Member (A)

(Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A.No.646/2017

G.S. Choudhari

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. G.S. Shukla, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents
- 2. Suo moto speaking to minutes. In order dated 26.02.2024 the name of learned Counsel is wrongly typed as 'S.D. Dhongde'. It be read as 'G.S. Shukla'.
- 3. Ordered accordingly.
- 4. Applicant applied for the post of Assistant Motor Vehicle pursuant to the advertisement dated 30.01.2017 in Female Open Category. Applicant holds Diploma in Mechanical Engineering. Learned Counsel has submitted that though she has applied in OBC she also wishes to be accommodated in Open Category. She has paid fees of Rs.373/- for the Open Category.
- 5. Learned Counsel has submitted that the applicant scored 9 marks out of 40 marks and the cut-off for Open Female is 1 mark.
- Learned P.O. is directed to produce the copy of application form of the applicant on the next date.
- 7. Learned Counsel is directed to reconstruct the O.A. as it is found incomplete.
- 8. Adjourned to 11.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A)

Tribunal's orders

Date: 05.03.2024

O.A.No.488/2017

K.A. Jadhav & Ors.

....Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. S.S. Dere, learned Counsel for the Applicants, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Ms. Punam Mahajan, learned Counsel for Respondents No.24, 26, 42 & 90.
- 2. Today learned Counsel Mr. Dere produces copy of fresh seniority list. It be taken on record. Copy be served upon the concern.
- 3. At the request of learned P.O. adjourned to 07.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

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

Tribunal's orders

Date: 05.03.2024

O.A.No.245/2017

R.R. Rathod

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Ms. Archana B.K., learned Presenting Officer for the Respondents
- At the request of learned Counsel adjourned to 14.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A)

Tribunal's orders

Date: 05.03.2024

O.A.No.242/2017 with O.A.No.789/2016

S.K. Bolbhat & Ors.

....Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents
- 2. At the request of learned Counsel adjourned to 28.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A.No.862/2016

A.J. Telvekar & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicants, Mr. A.J. Chougule, learned Presenting Officer for the Respondents and Mr. S.S. Dere, learned Counsel for Respondent No.101.
- 2. Mr. D.B. Khaire, learned Counsel for Respondent No.1 and Mr. S.R. Pawar, learned Counsel for the Respondents No.4, 6, 7, 9, 10, 11, 12, 14, 15, 17 to 20, 22, 25, 29, 31, 32 to 37, 38, 39, 44, 46, 48, 49, 50, 52, 55 and 57 are absent.
- 3. Adjourned to 15.03.2024. FOB.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

C.A.No.8/2024 in O.A.No.465/2017

G.R. Karpe

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents
- Contempt application is filed for non-2. compliance of order dated 25.08.2023.
- Adjourned to 12.03.2024. 3.

SD/-

SD/-

(Medha Gadgil) Member (A)

Tribunal's orders

Date: 05.03.2024

C.A.No.7/2024 in O.A.No.149/2019

S.S. Suryawanshi & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents
- 2. Learned P.O. has submitted that the order passed in O.A. is challenged before the Hon'ble High Court and the same is listed on today's board.
- 3. Today, though directed Contemnor is not present. Respondent is directed that if stay is not granted by Hon'ble High Court till next date, Contemnor should remain present in O.A.
- 4. Adjourned to 14.03.2024.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 05.03.2024

O.A.No.1490/2023

S.N. Shelke

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

- 1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.
- 2. At the request of learned Counsel Mr. Jagdale adjourned to 16.04.2024 for filing rejoinder.

SD/-

SD/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson