

**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

Date : 05.04.2024

O. A. No.476 of 2024

Ashok G. Gangode

....Applicant

Versus

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

1. Heard Shri Sachin Ambulkar with Shri M. U. Rajput, learned Counsels for the Applicant and Ms S. P. Manchekar, learned C.P.O. for the Respondents.
2. The Applicant challenges Provisional Select List of Maharashtra State Services Main Examination, 2022 pursuant to Advertisement No.099/2022 issued by MPSC on 11.11.2022 as the Applicant was not considered for the post of 'Assistant Director, Maharashtra Finance and Accounts Service (MFAS)- Group A' reserved for candidates from 'ST' Category.
3. The Applicant belong to 'ST Category' and holds the degree of 'Bachelor of Business Administration' (BBA). The Applicant secured 452.25 marks which is equal to Cut-Off marks for ST Category for the said post of 'Assistant Director, Maharashtra Finance and Accounts Service (MFAS)- Group A'.
4. The learned Counsel for Applicant submits that the MPSC had again published an Advertisement No.045/2022 dated 11.05.2022 for posts of 'Assistant Director, Maharashtra Finance and Account Services' (MFAS)'. The Applicant had cleared 'Preliminary Exam' and thus appeared for 'Main Examination' which was conducted on 21.01.2023 and 23.01.2023.
5. The learned Counsel for Applicant mentioned that the Applicant cleared the 'Main Examination' and appeared for 'Interview' on 13.12.2023 then 'General Merit List' was published by MPSC on 18.01.2024. The Applicant secured 452.25 marks and his name appeared in 'General Merit List' at 'Sr.No.1717'.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. The learned Advocate for Applicant further mentioned that MPSC- Respondent No.1 asked Applicant to give post preference form and accordingly the form was filled by Applicant on 24.01.2024. The MPSC allowed him to opt for total 9 posts of 'Assistant Director, Maharashtra Finance and Accounts Service (MFAS)'.</p> <p>7. The learned Counsel for Applicant further submits that the 'Provisional Select List' was published on 20.03.2024 wherein Applicant's name was not shown in the 'Provisional Select List' although his name appeared at 'Sr. No.1717' of 'General Merit List' Being aggrieved by it, Applicant personally visited the office of MPSC at CBD Belapur but there is no response from authorities of MPSC.</p> <p>8. The, learned CPO points out Sub Clause 7.5.2 of Clause 7.5 of 'Educational Qualification' of Advertisement No.045/2022, dated 11.05.2022 which reads as follows :- "७.५.२ :- सहायक संचालक, महाराष्ट्र वित्त व लेखा सेवा, गट-अ पदासाठी खालीलप्रमाणे अर्हता आवश्यक :- १. सांविधिक विद्यापीठाची, किमान ५५ टक्क्यांसह वाणिज्य शाखेची स्नातक पदवी किंवा २. इन्स्टिटयुट ऑफ चार्टर्ड अकाउंट्स ऑफ इंडिया यांनी घेतलेली सनदी लेखापालाची अंतिम परीक्षा उत्तीर्ण किंवा ३. इन्स्टिटयुट ऑफ कॉस्ट अँड वॉर्स अकाउंट्स यांनी आयोजित केलेली परिव्यय लेखाशास्त्राची अंतिम परीक्षा उत्तीर्ण किंवा ४. सांविधिक विद्यापीठाची वाणिज्य मधील पदव्युत्तर पदवी किंवा ५. अखिल भारतीय तंत्र शिक्षण परिषदेच्या मान्यताप्राप्त संस्थेमधून वित्त व्यवसाय प्रशासन या विशेषज्ञतेसह पदवी (एम.बी.ए.)</p> <p>9. The learned CPO also relied on 'Maharashtra Finance and Accounts Services (Director, Joint Director, Deputy Director, Assistant Director and Accounts Officer, Group 'B' (Gazetted) (Recruitment) Rules 2012' of 13.09.2012 to submit that 'Educational Qualification' required for post of 'Assistant Direction, Maharashtra Finance and Accounts Service (MFAS)' is 'MBA in Finance'. However, the Educational Qualification of Applicant which is 'BBA' in Financial Management' is not included in Rule 6(b)(ii) of 'Maharashtra Finance and Accounts Services (Director, Joint Director, Deputy Director, Assistant Director and Accounts Officer, Group 'B' (Gazetted) (Recruitment) Rules 2012' which is relevant and reads as under :- "6(b) by nomination from amongst the candidates who.— (i.) are not more than thirty-three years of age; (ii) possess any of the following qualifications :— (a) a degree with at least fifty percent marks in Commerce. Or (b) passed final examination of Chartered accountant conducted by Institute of Chartered Accountants of India.</p>

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>(c) have passed the final examination of Cost Accountancy conducted by the Institute of Cost and Works Accountants of India or</p> <p>(d) Masters Degree in Commerce of, or</p> <p>(e) Master of Business Administration (MBA) in Finance approved by All India Council For Technical Education (AICTE).'</p> <p>10. We consider the submission of learned CPO on Rule 6 (b) iii) of 'Maharashtra Finance and Accounts Services (Director, Joint Director, Deputy Director, Assistant Director and Accounts Officer, Group 'B' (Gazetted) (Recruitment) Rules 2012' that Applicant is not fulfilling the criteria of Educational Qualification for post of 'Assistant Director, Maharashtra Finance and Accounts Service (MFAS)' as he does not hold the degree of 'MBA' in Finance'. We, therefore, do not find any merit in the case of Applicant.</p> <p>11. The Original Application is hence dismissed. No order as to costs.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p style="text-align: center;">M.A.No.183 of 2024 in O. A. No.64 of 2024 With O.A.64 of 2024</p> <p>Shri Arif Lal Khan Pathan & 12 Ors.Applicants (Intervenors)</p> <p>Versus</p> <p>Ms Priyanka P. Dhuri & Ors.Ori. Applicants</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri N. S. Chavan, learned Counsel for Intervenors, Shri S. S. Dere, learned Counsel for Original Applicants and Ms S. P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. This M.A. is filed for intervention in O.A.No.64/2024 which pertains to selection. In intervention application request is made to implead 13 'Intervenors' as party Respondents</p> <p>3. The learned Counsel for Intervenors submits that 'Intervenors' are selected from 'EWS' category for the post of 'Staff Nurse' and they have 'EWS Certificate' issued prior to 'Cut-off Date' as per Advertisement dated 10.05.2023, therefore, their appointment cannot be objected.</p> <p>4. Learned CPO for Respondents submits that the candidates like 'Intervenors' who have possessed 'EWS Certificate' before 'Cut-Off Date' as per Advertisement dated 10.05.2023 can be appointed on the post of Staff Nurse under 'EWS Category' as no objection is raised about their eligibility based on 'Cut-Off Date'.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Learned CPO further submits that the order of granting 'Interim Relief' dated 18.01.2024 is to be modified and permission is to be granted to Respondents to proceed with filling up the post of 'Staff Nurse' in 'EWS' Categories except 35 posts of 'Staff Nurse' in 'EWS Category' as they are claimed by Applicants.</p> <p>6. In view of above, we modify our order of Interim Relief dated 18.01.2024 and direct the Respondents to proceed with issuance of appointment order of 'Staff Nurse' in 'EWS' Category who have 'EWS Certificates' before 'Cut-Off Date'. However, 35 posts of 'Staff Nurse' from 'EWS' Category are to be kept vacant till decision about claims of Applicants.</p> <p>7. The learned Counsel for 'Intervenors' submits that as the grievance of the 'Intervenors' is redressed, he does not want to press the MA. Accordingly, MA is disposed of with no order as to costs.</p> <p>8. The Original Application is adjourned to 16.04.2024.</p> <p style="text-align: center;"> Sd/- (Debashish Chakrabarty) Member (A) </p> <p style="text-align: center;"> Sd/- (Mridula Bhatkar, J.) Chairperson </p> <p>vsm</p>

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	<p>Date : 05.04.2024</p> <p>M.A.No.164 of 2024 in O. A. No.64 of 2024</p> <p>Ms Priyanka Dhuri & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri S. S. Dere, learned Counsel for the Applicants and Ms S. P. Manchekar, learned C.P.O. for the Respondents.</p> <p>2. Learned Counsel Shri S. S. Dere wants to amend the OA by adding seven candidates as party Applicants in Original Application as per Schedule -I of MA.</p> <p>3. Learned CPO submits to the order of the Court.</p> <p>4. M.A. for adding seven applicants in OA is allowed. Amendment be carried out forthwith and amended copy of O.A. be served on all the respondents.</p> <p>5. M.A. is disposed off accordingly.</p> <p>Sd/- Sd/-</p> <p>(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>vsm</p>

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..... Respondent/s

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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.396/2024**A.A. Shinde****... Applicant****Vs.****The State of Mah. & Ors.****... Respondents**

1. Heard Shri A.S. Gaikwad, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.

2. Learned Advocate for Applicant relied on GR dated 06.04.2023 which is regarding changes and modification in 'Orphan Reservation Policy'. Learned Advocate for Applicant relied on Clause 7 which pertains to Format of Orphan Certificate and Clause 7.5 which reads as under :-

"7.5 In case of any complaints regarding the Orphan Certificate, the appellate authority will be the Commissioner, Women and Child Development."

3. Learned Advocate for Applicant further relied on last portion of GR dated 06.04.2023 wherein it is mentioned, "The provisions of this Government Resolution will be applicable to the new examinations held after 31/10/2022".

4. Learned Advocate for Applicant submits that Advertisement No.249/2021 was published in the present case on 28.10.2021 for filling-up 376 posts of 'Police Sub-Inspectors'. Out of which, 4 are reserved for 'Orphans'. Learned Advocate for Applicant further submits that 'Preliminary Examination' was conducted on 26.02.2022. Prayer is made to unfilled vacancies of 'Orphans' which is going to be conducted pursuant to Advertisement No.05/2020 dated 28.02.2020 for filling-up 650 posts of 'Police Sub-Inspectors'.

5. Learned Advocate for Applicant submits that for this Examination, 2 vacancies of 'Orphan Categories' were available in earlier Examination which was conducted pursuant to Advertisement No.05/2020 dated 28.02.2020 for the post of 650. Out of which, 6 posts were reserved for 'Orphans', 4 posts were filled-up and 2 posts were vacant.

Therefore, learned Advocate for Applicant prays that these 2 posts are to be carried forward pursuant to Advertisement dated 28.10.2021.

6. Learned Advocate for Applicant submits that 16 candidates were shortlisted for 4 posts. Ratio is 1:4. Out of which, 1 candidate has joined on post of 'Assistant Sub-Inspector', 8 candidates have joined to 'post of 'State Tax Inspector' and 1 candidate is found 'Physically Unfit' and out of 7 remaining, 1 remained absent, therefore, 6 candidates were called.

7. We rely on GR dated 23.08.2021. By this GR, Policy of '1% Reservation' for 'Orphans' was modified. Sub-Clauses 7 & 9 of GR dated 23.08.2021 in respect of carrying forward the vacancies state as under :-

"7. If eligible orphan candidates are not available in the recruitment year, the backlog of the said reserved seat will be carried forward to the next recruitment year. If eligible orphan candidates are not available in the next recruitment year also, the said post will be filled from candidates other than orphans on merit.

9. The reservation for orphans will be applicable for recruitment and educational admissions from the date of implementation of the Government Resolution. The proposed reservation will also be applicable for all the posts for which the final result has not been declared after 2.4.2018."

8. It is an admitted position that in the Examination pursuant to Advertisement dated 05/2020, out of 6 vacancies, only 4 vacancies were filled-up and 2 vacancies remained to be unfilled. So, it was necessary for Government to carry forward 2 vacancies for recruitment of year 2021. Respondents did not carry forward those 2 vacancies in which Applicants have appeared.

9. Learned CPO submits that by issuance of GR dated 06.04.2023, the earlier GRs including GR of 23.08.2021 which is referred at Serial No.5 are superseded and no such provision is available for carrying forward in GR dated 06.04.2023.

10. However, the said GR is made available for new Examinations held after 30.10.2022. Therefore, GR dated 06.04.2023 is not applicable and Respondents to carry forward 2 unfilled vacancies in view of GR dated 23.09.2021. Since the result of Advertisement dated 28.02.2020 was not declared till 19.07.2023, therefore, considering the facts and circumstances and provisions of GR dated 23.08.2021, the unfilled vacancies are required to be carried forward.

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11. It is thus clear from record that the provisions of GR dated 06.04.2023 which itself made operative for new Examinations and new Advertisement which actually published only after 31.10.2022 and not for Examination in question in present case i.e. for Advertisement dated 28.10.2021.

12. Accordingly, the provisions of GR dated 23.08.2021 are squarely applicable to present case for carrying forward such unfilled vacancies and not provisions of GR dated 06.04.2023. Therefore, 2 unfilled posts for Advertisement dated 28.02.2020 are required to be carried forward for the present case i.e. for the Advertisement dated 28.10.2021.

13. In view of above, OA stands allowed with direction to Respondents to add 2 posts reserved for 'Orphans' which are vacant pursuant to Advertisement dated 28.02.2020 to the recruitment process for Advertisement dated 28.10.2021. Thus, the result of total 6 posts reserved for 'Orphans' be accordingly declared along with result of entire other posts of 'PSIs' pursuant to Advertisement dated 28.10.2021.

14. No Order as to Costs.

sd/-
(Debashish Chakrabarty)
Member-A
05.04.2024

sd/-
(Mridula Bhatkar, J)
Chairperson
05.04.2024

(skw)

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>M. A. No.234 of 2024 In O.A.No.475 of 2024</p> <p>A. J. Kale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere with Shri R. V. Shinde, learned Counsels for the Applicants and Smt. Kranti Gaikwad, learned Chief Presenting Officer for the Respondents</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.</p> <p>5. M. A. No.234/2024 is allowed. No order as to costs.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>O.A.No.475 of 2024</p> <p>A. J. Kale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere with Shri R. V. Shinde, learned Counsels for the Applicants and Smt. Kranti Gaikwad, learned Chief Presenting Officer for the Respondents 2. Learned Counsel for Applicants states that the Commissioner Health Services, Mumbai had issued Advertisement on 28.08.2023 for filling up the post of 'Multi-Purpose Health Worker' 3. Learned Counsel for Applicants further states that Applicants who had applied for post of 'Multipurpose Health Worker' challenge letter dated 27.03.2024 issued by the 'Joint Director, Health Department, Pune' to all (i) Deputy Directors, Health Services and (ii) District Malaria Officers by which they have been directed to immediately terminate appointment of Applicants who have obtained 'Diploma in Health Sanitary Inspector' from Respondent No.8 - 'Central Institute of Vocational and Technical Education (CIVTE)' Pune 4. Learned Counsel for Applicants then stated that 'Joint Director, Health Department, Pune' - Respondent No.3 had written letter dated 27.03.2024 to all (i) Deputy Directors, Health Services and (ii) District Malaria Officers because by one letter dated 11.03.2024 of the 'Central Institute of Vocational and Technical Education (CIVTE)' Pune, it was informed to 'Joint Director, Health Department, Pune' that the course of 'Diploma in Health Sanitary Inspector' has

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>been stopped and it should not be considered for giving appointment on Government Posts.</p> <p>5. Learned Counsel for Applicants further stated that by letter dated 29.03.2024 the 'Central Institute of Vocational and Technical Education (CIVTE)' Pune' has communicated to Respondent No.3 – 'Joint Director, Health Department, Pune' that they have not issued such communication which has been circulated on 'Whats App' and they have no objection to consider giving appointment on Government Posts those having 'Diploma in Health Sanitary Inspector'</p> <p>6. Learned Counsel for Applicants then submits that on 19.02.2024, the 'Merit List' was published and names of Applicants were included in the 'Merit List'. However, after receiving letter dated 11.03.2024 from 'Central Institute of Vocational and Technical Education (CIVTE)' Pune' which is alleged to be fake letter that the course of 'Diploma in Health Sanitary Inspector' given by 'Central Institute of Vocational and Technical Education (CIVTE) Pune' be not considered for Government Posts. The 'Joint Director, Health Department, Pune' was issued letter dated 27.03.2024 to all (i) Deputy Directors, Health Services and (ii) District Malaria Officers and directed them not to consider the certificate issued by Respondent No.8 for appointment as 'Multi-Purpose Health Worker'.</p> <p>7. We would like Respondent No.1 to make positive statement on query whether the course of 'Diploma in Health Sanitary Inspector' was taught earlier by 'Central Institute of Vocational and Technical Education (CIVTE) Pune' at the relevant time and is to be considered as valid for filling up posts of 'Multi Purpose Health Workers' as per Commissioner of Health Services Mumbai Advertisement dated 28.08.2023.</p> <p>8. In view of above, we direct the Respondents to keep 7 posts of 'Multipurpose Health Worker' vacant till next date.</p> <p>9. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p>

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	<p>10. Issue notice before admission returnable on 10.04.2024.</p> <p>11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>12. 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>13. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>14. 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 Application 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 Application shall stand dismissed.</p> <p>15. S.O. to 10.04.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

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O.A.293/2024

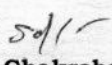
P.D. Kokare ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

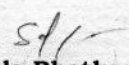
1. Heard Shri S.S. Dere, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.

2. Shri O.M. Lonkar, learned Advocate submits that he is instructed to appear on behalf of Respondent No.9.

3. The Applicant to serve the copy of OA to Respondent No.9.

4. S.O. to 18th April, 2024.


(Debashish Chakrabarty)
Member-A
05.04.2024


(Mridula Bhatkar, J)
Chairperson
05.04.2024

(skw)

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(Advocate)

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**O.A.1406/2023 with O.A.1450/2023,
O.A.1477/2023 & O.A.1549/2023**

**Dr. S.H. Darveshi & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents**

1. Heard Shri A.A. Desai, learned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
2. S.O. to 19th April, 2024.

sd/-
(Debashish Chakrabarty)
Member-A
05.04.2024

sd/-
(Mridula Bhatkar, J)
Chairperson
05.04.2024

(skw)

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Tribunal's orders

O.A.188/2024

B.T. Durge

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri D.B. Khaire, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.

2. Affidavit-in-Reply is filed.

3. S.O. to 26th April, 2024.

sd/-
(Debashish Chakrabarty)
Member-A
05.04.2024

sd/-
(Mridula Bhatkar, J)
Chairperson
05.04.2024

(skw)

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O.A.198/2024

S.B. More & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri S.S. Dere, learned Advocate for Applicants, Ms. S.P. Manchekar, learned CPO for Respondents and Shri M.D. Lonkar, learned Advocate for Respondent Nos.4 to 12.

2. Learned CPO seeks time to file Affidavit-in-Reply. Time Granted.

3. S.O. to 16th April, 2024.

sd/
(Debashish Chakrabarty)
Member-A
05.04.2024

sd/
(Mridula Bhatkar, J)
Chairperson
05.04.2024

(skw)

**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.247/2024</u>
	<p>B.R. Khaire ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri S.S. Dere, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. S.O. to 18th April, 2024.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>SAI</i></p> <p>(Debashish Chakrabarty)</p> <p>Member-A</p> <p>05.04.2024</p> <p>(skw)</p> </div> <div style="text-align: center;"> <p><i>Sd/-</i></p> <p>(Mridula Bhatkar, J)</p> <p>Chairperson</p> <p>05.04.2024</p> </div> </div>

**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 align="center"><u>O.A.443/2024</u></p> <p>S.M. Bhujbal ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri S.S. Dere, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. S.O. to 19th April, 2024.</p> <p align="center"> <i>sd/-</i> (Debashish Chakrabarty) Member-A 05.04.2024 <i>sd/-</i> (Mridula Bhatkar, J) Chairperson 05.04.2024 </p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>O.A.No.305 of 2024</p> <p>Dr. R. J. Thorat & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Daksha Pungere holding for Shri A. A. Desai, learned Counsel for the Applicant through video conference and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 19.04.2024. 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 Application 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 Application shall stand dismissed. 8. S.O. to 19.04.2024. <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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

Date : 05.04.2024 Tribunal's orders

O.A.No.411 of 2024

H. R. Gosavi

....Applicant

Versus

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

1. Heard Shri S. S. Dere, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Chief Presenting Officer for the Respondents.
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 19.04.2024.
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 seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
8. S.O. to 19.04.2024 under the caption of 'Urgent Admission'.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>O.A.No.458 of 2024</p> <p>M. G. KorbuApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant through video conference and Shri A. D. Gugale, learned Presenting Officer for the Respondents. 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 25.04.2024. 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 Application 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 Application shall stand dismissed. 8. S.O. to 25.04.2024. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>O.A.No.459 of 2024</p> <p>W.P. MundheApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant through video conference and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 26.04.2024. 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 Application 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 Application shall stand dismissed. 8. S.O. to 26.04.2024. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>O.A.No.437 of 2024</p> <p>Dr. Y. O. Shirshetty & Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Smt. Daksha Pungere holding for Shri A. A. Desai, learned Counsel for the Applicant through video conference and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.3. Issue notice before admission returnable on 19.04.2024.4. 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 Application 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 Application shall stand dismissed.8. S.O. to 19.04.2024. <p>Sd/- Sd/-</p> <p>(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>M. A. No.151 of 2024 In O.A.No.305 of 2024</p> <p>Dr. R. J. Thorat & Ars.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Daksha Pungere holding for Shri A. A. Desai, learned Counsel for the Applicant through video conference and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid. 5. M. A. No.151/2024 is allowed. No order as to costs. <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

Date: 05.04.2024

O.A. No.479 of 2024

A.M. KhobragadeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.S. Jadhav, learned Advocate for the Applicant and Shri A.D. Gugale, 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 12.04.2024.
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 seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
8. S.O. to 12.04.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.04.2024</p> <p align="center">M.A. No.229 of 2024 in O.A. No.468 of 2024</p> <p>S.K. Mahale & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.T. Jaiswal, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants by M.A. No.229 of 2024 in O.A. No.468 of 2024 are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in this M.A. No.229 of 2024, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite Court Fees, if not already paid. M.A. No.229 of 2024 is accordingly disposed off.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

Date: 05.04.2024

O.A. No.468 of 2024

S.K. Mahale & Ors.,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.T. Jaiswal, 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 10.04.2024.
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 seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
8. S.O. to 10.04.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>O.A.No.1107/2023 with O.A. Nos.1121/2023, O.A.761/2023, O.A.1021/2023, O.A.1059/2023, O.A.1297/2023 & O.A.1370/2023</p> <p>Dr. N. P. Banage & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. A. Desai, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The matter is fixed on 08.04.2024 at 3.30. PM.</p> <p>Sd/- Sd/-</p> <p>(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p style="text-align: center;">O.A.No.53 of 2024</p> <p>B. S. KendreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant through video conference and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that the name mentioned in Para No.2 of order dated 28.03.2024 is to be corrected. She states that Shri Somnath Bagul, Joint Secretary, Social Justice and Special Assistance department was present before the Court on 28.03.2024 but Affidavit in Reply was filed by Shri Prashant Wagh, Under Secretary, Social Justice and Special Assistance Department on behalf of Respondent Nos.1 & 2 on 11.03.2024.</p> <p>3. Learned PO seeks time to take instruction from the department.</p> <p>4. S.O. to 12.04.2024 under the caption of 'Urgent Admission'.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>sd/-</i></p> <p>(Debashish Chakrabarty) Member (A)</p> </div> <div style="text-align: center;"> <p><i>sd/-</i></p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p style="text-align: left; margin-top: 10px;">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

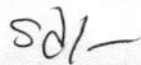

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.04.2024</p> <p>O.A.No.57 of 2024</p> <p>B. G. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant through video conference and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned CPO has filed Affidavit in Reply. It is taken on record.</p> <p>3. S.O. to 24.04.2024 under the caption of 'Urgent Admission'.</p> <p style="text-align: center;">  (Debashish Chakrabarty) Member (A) </p> <p style="text-align: center;">  (Mridula Bhatkar, J.) Chairperson </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.04.2024</u></p> <p><u>M.A 84/2024 in C.A 652/2023 in O.A 52/2023</u> <u>Through Video Conference</u></p> <p>R.S Deshmukh ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.P Palshikar, learned advocate for the applicant and Shri Anand Gugle, learned P.O for the Respondents.</p> <p>2. Misc Application is filed under Section 25 of the Administrative Tribunals Act, 1985; for transferring O.A 52/2023 from M.A.T, Nagpur Bench to Principal Bench at Mumbai on the ground that Division Bench at Nagpur, Hon'ble Member (A) is not appointed; not available and the applicant seeks urgency as the matter relates to appointment. Learned counsel submits that Original Application 52/2023 is filed on 11.1.2023.</p> <p>3. Learned P.O submits that office of learned C.P.O has not received the copy of the Misc Application. However, he submits to the orders of the Court.</p> <p>4. Misc Application is allowed. Learned counsel for the applicant is directed to serve copy of the Original Application along with reply and other documents to the office of the learned C.P.O at Mumbai.</p> <p>5. O.A No. 52/2023 to be placed on Board on 30.4.2024 at 1.00 pm through Video Conference.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>