

**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 : 05.05.2022</p> <p>O.A.No.315 of 2021</p> <p>V.V. Pote & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Matter is part heard.</p> <p>3. Adjourned to 15.06.2022.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</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 align="center"><u>05.05.2022</u></p> <p align="center"><u>O.A 288/2022</u></p> <p>Shri M.V Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O on instructions from Ms Geeta Kulkarni, Deputy Secretary, G.A.D, submits that the file will be sent to the Home Department during the course of the day. Further she states that five other similarly situated persons senior to the applicant who have been exonerated in the departmental enquiry, their cases should be sent by the Home Department to G.A.D.</p> <p>3. As the applicant is retiring on 31.5.2022, we direct the Home Department to complete the process of all the persons similarly situated along with the applicant latest by 13.5.2022.</p> <p>4. The Respondent no. 1, Home Department, is further directed to issue necessary orders of promotion before 31.5.2022.</p> <p>5. S.O to 6.6.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

05.05.2022

C.A 04/2022 in O.A 613/2018

Shri A.V Mahajan ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M Kolge, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.

2. Learned P.O produces copy of letter dated 4.5.2022 addressed by the Home Department, to the Director General of Police, M.S, Mumbai, to appoint the applicant as a Clerk.

3. Learned P.O is directed to take instructions and intimate about the progress in the matter.

4. S.O to 7.6.2022.

Sd/-

Sd/-

Medha Gadgil
Member (A)

(Mridula Bhatkar, J.)
Chairperson

kn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.05.2022</p> <p align="center">O.A. No.433 of 2022</p> <p>C.S. LokhandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Perused application and record. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. In this O.A. the Applicant has impugned the order whereby recovery is proposed to be affected from his pensionary benefits. Record shows that the proposed recovery is initiated after retirement of the Applicant. Record further shows that the Applicant retired on superannuation on 31.07.2017 and he was holding group 'C' post. On the afore-stated ground it is prayed that by passing interim order proposed recovery to be stayed. On behalf of the Respondents attention of the Tribunal is invited to communication dated 27.02.2019 (Exhibit J) to content that the Applicant was made aware long before initiating the action of recovery that he was liable to refund to the Department substantial amount which he had received in excess. On considering rival submissions I <i>prima-facie</i> find that Clause 1 & 2 of the judgment of Hon'ble Supreme Court in the case of (2015) 4 SCC 334 (<i>State of Punjab and others Vs. Rafiq Masih (White Washer)</i>) are attracted thus a ^{like} common case is made out to grant interim relief as per Para 10 (a) of the O.A. Hence, the order. [P.T.O.]

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

Tribunal's orders

Order

Effect and implementation of the impugned order dated 02.11.2021 (Exhibit A) is stayed till returnable date only.

8. Issue notice before admission returnable on 08.06.2022.

9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

10. 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

11. 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.

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. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

14. S.O. to 08.06.2022.

Sd/-

(M.A. Lovekar)
Member (J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.424 of 2022</u></p> <p>B.P. Salunkhe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri M.D. Lonkar with Shri Shrishail Sakhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Perused the contents of application.</p> <p>3. In the OA the applicant has impugned order dated 22.4.2022 (Exh.A) whereunder he has been placed under suspension. It is submitted by Ld. Advocate for the applicant that representation dated 2.5.2022 (Exh.Y) filed by the applicant is pending before respondents no.2 & 3 and if said representation is decided by returnable date the matter can be disposed of early. It is pointed out that prayer to that effect is incorporated in OA (page 24 clause b). Case is made out to direct respondents no.2 and 3 to decide representation dated 2.5.2022 filed by the applicant as early as possible. Hence, the order.</p> <p>4. Respondents no.2 and 3 shall decide representation of the applicant dated 2.5.2022 as early as possible.</p> <p>5. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 13.6.2022. The respondents are directed to file reply.</p> <p>7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>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.</p> <p>9. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (M.A. Lovekàr) Member (J) 5.5.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

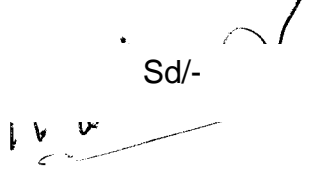
of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="841 649 1416 700"><u>M.A. No.201 of 2022 in O.A. No.26 of 2022</u></p> <p data-bbox="743 726 1497 855">A.K. Pawar & 18 Ors. ..Applicants Vs. ..Respondents The State of Maharashtra & Ors.</p> <p data-bbox="750 870 1529 1009">Heard Shri S.S. Dere with Ms. Savita Suryawanshi, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p data-bbox="760 1025 1546 1293">2. Today Ld.PO has placed on record communication dated 27.4.2022 (marked 'X' for identification), which states that presently on the establishment of Nasik City 13 posts are vacant. Ld. Advocate for the applicants makes a statement that these vacancies are there even as of today and the communication dated 27.4.2022 specifically refers to this OA bearing OA No.26 of 2022.</p> <p data-bbox="766 1308 1562 1514">3. On the basis of contents of aforesaid communication it is submitted that respondent no.3 be directed to keep 13 vacancies of Police Constable on the establishment of Nasik City as they are atleast till returnable date. I find merit in the submission. Hence, the order.</p> <p data-bbox="1091 1540 1247 1576"><u>ORDER</u></p> <p data-bbox="782 1602 1572 1731">(i) 13 vacancies of Police Constable on the establishment of Nasik City shall be kept as they are as on date and till returnable date.</p> <p data-bbox="792 1756 1117 1808">(ii) S.O. to 15.6.2022.</p> <p data-bbox="1312 1808 1367 1849">Sd/-</p> <p data-bbox="1172 1875 1432 2040"> (M.A. Lovekar) Member (J) 5.5.2022</p> <p data-bbox="808 2065 863 2107">(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
<p style="text-align: center;"><u>O.A. No.262 of 2022</u></p> <p>S.A. Patil Vs. The State of Maharashtra & Ors.</p> <p style="text-align: right;">..Applicant ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. That so far ample opportunity has been given to the respondents to file reply. One more opportunity is given to file reply strictly as a last chance.</p> <p>3. S.O. to 7.6.2022.</p> <p style="text-align: right;">Sd/- (M.A. Lovekar) Member (J) 5.5.2022</p> <p>(sgj)</p>	

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: right;"><u>O.A. No.426 of 2022</u></p> <p>S.H. Ayare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 7.6.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (M.A. Lovekar) Member (J) 5.5.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.425 of 2022</u></p> <p>S.H. Ayare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 7.6.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- I V Y V (M.A. Lovekar) Member (J) 5.5.2022</p> <p>(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.428 of 2022</u></p> <p>N.S. Lahange ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 14.6.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (M.A. Lovekar) Member (J) 5.5.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.412 of 2022</u></p> <p>D.K. Narode ..Applicant Vs. ..Respondents The State of Maharashtra & Ors.</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officers for the Respondents.</p> <p>2. It is pointed out by Ld. Advocate for the applicant that by communication at Exhibit C, respondent no.4 has informed that applicant can be accommodated on the establishment of respondent no.4. It is submitted that in case this vacancy is filled up the purpose behind filing this OA would be defeated.</p> <p>3. Respondent No.4 is directed not to fill up one vacancy communicated by Exhibit C till the next date.</p> <p>4. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 14.6.2022. The respondents are directed to file reply.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (M.A. Lovekar) Member (J) 5.5.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="836 646 1393 705"><u>M.A. No.22 of 2022 in O.A. No.33 of 2022</u></p> <p data-bbox="727 723 1442 783">P.P. Dhumal ..Applicant</p> <p data-bbox="824 783 873 814">Vs.</p> <p data-bbox="727 814 1479 857">The State of Maharashtra & Ors. ..Respondents</p> <p data-bbox="732 870 1511 999">Heard Shri S.S. Dere holding for Ms. P.H. Hendre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p data-bbox="732 1025 1511 1110">2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p data-bbox="732 1136 1511 1221">3. Issue notice before admission in MA returnable on 29.6.2022. The respondents are directed to file reply.</p> <p data-bbox="732 1246 1511 1514">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 MA and O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p data-bbox="732 1540 1511 1695">5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p data-bbox="732 1720 1511 1908">6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p data-bbox="1300 1901 1365 1934">Sd/-</p> <p data-bbox="1203 2004 1409 2114">(M.A. Lovekar) Member (J) 5.5.2022</p> <p data-bbox="781 2140 841 2174">(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.271 of 2022 in O.A. No.417 of 2022</u></p> <p>Smt. Ranjana P. Gage ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Vaidehi Deshmukh holding for Shri Vinod Sangvikar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission in MA returnable on 27.6.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of MA and O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (M.A. Lovekar) Member (J) 5.5.2022</p> <p>(sgj)</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>05.05.2022</p> <p><u>O.A 1051/2019</u></p> <p>Shri P.S Mane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Shri A.J Chougule, learned P.O for the Respondents. 2. Admit. 3. Place for final hearing on 2.8.2022.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) 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
---	-------------------

05.05.2022

M.A 270/2022 in O.A 960/2021

Shri S.S Ali Nusrat Ali ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. The Respondent no. 1, Principal Secretary, Home Department is directed to complete the review of the applicant on or before 14.6.2022.
3. S.O to 14.6.2022.

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.05.2022</p> <p align="center">C.A.No.2 of 2022 in O.A.No.1047 of 2016</p> <p>P.P. BirajdarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere & Asso, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Adjourned to 07.06.2022. Last chance granted to learned P.O. for filing affidavit-in-reply.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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>05.05.2022</u></p> <p align="center"><u>O.A 46/2022</u></p> <p>Shri Vijaysing J. Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.R Patil, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Issue notice before admission returnable on 28.6.2022.</p> <p>3. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>5. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>6. S.O to 28.6.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. of 20 DISTRICT Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

05.05.2022

M.A 131/2022 in O.A 46/2022

Shri Vijaysing J. Chavan ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri V.R Patil, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned counsel for the applicant states that there is a delay of 18 days in filing the Original Application due to Covid-19 Pandemic and the documents are supplied to the applicant late.

3. Learned P.O opposes the Misc Application seeking condonation of delay.

4. Considering the short duration of the delay, we condone the Misc Application seeking condonation of delay in filing the Original Application is allowed.

Sd/-

Medha Gadgil
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>05.05.2022</p> <p><u>O.A Nos 431 & 432/2022</u></p> <p>T.P Sonawane T.R Shete ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Issue notice before admission returnable on 16.6.2022.</p> <p>3. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>5. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>6. S.O to 16.6.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	05.05.2022 Tribunal's orders <u>O.A 423/2022</u>
	<p>Mr Sushil R. Waydande ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Issue notice before admission returnable on 6.6.2022.</p> <p>3. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>5. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>6. S.O to 6.6.2022.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member (A)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p>

akn

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.05.2022</u></p> <p style="text-align: center;"><u>O.A 421/2022</u></p> <p>Smt Swapnal S. Jopale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.A Desai, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents. 2. Learned counsel for the applicant seeks stay to the impugned show cause notice dated 19.4.2022 passed by Respondent no. 2. 3. Learned counsel for the applicant produces copy of service of notice on the Respondent no. 1, P.W.D and the office of the learned C.P.O. Same is taken on record and marked as Exh. 'A'. 4. Learned P.O refers to the G.R dated 7.5.1999 wherein the practice of giving Couple Certificate was discontinued. 5. In view of the fact that the applicant was appointed on 19.11.1996 and the G.R dated 7.5.1999 was subsequently issued, we grant interim relief as prayed for the applicant by way of stay to the show cause notice. 6. The impugned order dated 19.4.2022 is hereby stayed till the admission of the Original Application. 7. Issue notice before admission returnable on 28.6.2022. 8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 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. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice. 11. S.O to 28.6.2022. <p style="text-align: center;">Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="text-align: center;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**



Original Application No. of 20 DISTRICT Applicant/s

(Advocate)

versus

The State of Maharashtra and others Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<p>05.05.2022</p> <p>Tribunal's orders</p> <hr/> <p><u>O.A 393, 394 & 395/2013</u></p>
	<p>K.R Shelke D.S Salve R.V Bansode</p> <p>... Applicants</p> <p>Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.S Kamble, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants produces copy of order dated 28.5.2021, issued by Public Health Department, whereby Dr. K.R Shelke and Dr D.S Salve are promoted.</p> <p>3. Matter stands adjourned to 6.6.2022.</p> <p>Sd/- </p> <p>(Medha Gadgil) Member (A)</p> <p>Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.05.2022</p> <p>O.A.No.364 of 2021</p> <p>R.G. Kadam & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate adjourned to 16.06.2022 at 2.30 p.m. (Part Heard).</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.05.2022</p> <p>O.A.No.483 of 2021</p> <p>A.F. MurdeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents produces copy of order dated 04.05.2022 addressed to the Superintendent Engineer, Pune, Irrigation Circle stating that the Applicant should be given all his pensionary benefits immediately. Taken on record and marked as Exhibit-A.</p> <p>3. Adjourned to 15.06.2022.</p> <p>Sd/- (Medha/Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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

05.05.2022

O.A 204/2022

Shri T.S Bitake ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Learned C.P.O seeks modification of the interim relief granted by this Tribunal by order dated 7.3.2022.
3. Learned C.P.O states that appointments of all the persons who have secured less than 141 marks has been held up because of the interim relief granted on 7.3.2022.
4. Learned C.P.O seeks modification of the interim relief to the extent that one post Police Constable, Railways should be kept vacant till the final disposal of this Original Application.
5. Learned counsel for the applicant opposes to the modification of the interim relief granted earlier.
6. In view of the above the interim relief granted by this Tribunal on 7.3.2022 is modified and the Superintendent of Police, Railways is hereby directed to keep one post of Police Constable, Railways, in the open category vacant till the final disposal of the Original Application.
7. S.O to 8.6.2022.

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.05.2022</u></p> <p><u>O.A 183/2022</u></p> <p>Smt J.G Tatkare & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.R Asawa, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that reply is to be filed by G.A.D.</p> <p>3. S.O to 24.6.2022.</p> <p>Sd/- _____ (Medha Gadgil) Member (A) Akn</p> <p>Sd/- _____ (Mridula Bhatkar, J.) 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

05.05.2022

O.A 83/2022

Dr P.L Patil

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

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

2. Learned P.O is granted time to file affidavit in reply by way of last chance.

3. S.O to 6 .7.2022.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.05.2022</u></p> <p><u>O.A 952 & 953/2021</u></p> <p>M.P Repe N.P Gawade Vs. The State of Maharashtra & Ors</p> <p>... Applicants ... Respondents</p> <p>1. Heard Shri S.K Hande, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for hearing on 4.7.2022.</p> <p>Sd/- _____</p>
	<p>Sd/- _____</p> <p>(Medha Gadgil) Member (A)</p> <p>Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.05.2022</p> <p>O.A.No.385 of 2022</p> <p>S.K. Hankare & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant seeks interim relief by way of keeping 10 posts of Kotwal, Class-IV vacant as the applicants have become age barred as they have crossed 45 years of age after the issuance of G.R. dated 06.02.2019. She points out that the select list for the promotions have not been prepared for the years 2019, 2020 and 2021.</p> <p>3. Learned P.O. for the Respondents opposes grant of interim relief stating that the select list could not be prepared due to COVID-19 pandemic situation.</p> <p>4. Considering these facts we grant interim relief to the extent that 10 posts of Kotwal should be kept vacant subject to the outcome of the O.A.</p> <p>5. Hamdast. Adjourned to 15.06.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>05.05.2022</p> <p><u>O.A 1057/2019</u></p> <p>R.H Nikumbhe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O states the reply will be filed during the course of the day.</p> <p>3. S.O to 30.6.2022.</p>
	<p>Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.05.2022</p> <p style="text-align: center;">M.A.No.275 of 2022 in O.A.No.386 of 2022</p> <p>R.P. SatputeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. M.A. is filed seeking directions to the Respondents to take decision regarding the deemed date of her representations dated 01.07.2016 to 06.04.2022.</p> <p>3. Learned P.O. submits to the orders of this Tribunal.</p> <p>4. Respondents are directed to take decision on the deemed date within a period of one month from the date of this order.</p> <p>5. Hamdast. M.A. is allowed. O.A. adjourned to 06.06.2022.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member(A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p style="margin-top: 20px;">prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.05.2022</p> <p>M.A.No.249 of 2022 in O.A.No.1043 of 2019 with O.A.No.1043 of 2019</p> <p>S.V. LendaveApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Asawari Ghate, learned Advocate holding for Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. M.A. is filed seeking early hearing of O.A. as there is short issue involved in the matter.</p> <p>3. M.A. is allowed.</p> <p>4. Learned Advocate submits that she has filed this O.A. in view that she is superseded to be appointed to the post of Warden, wherein her juniors were promoted by order dated 09.01.2019.</p> <p>5. As per the rules of promotion of Warden she was required to possess the Post Graduate Degree in Social Welfare Association or Tribal Welfare Association. The Applicant acquired the said qualification of MSW in May 2009. However in the DPC meeting of 17.12.2018 she was superseded as she acquired the said qualification after her juniors were recruited.</p> <p>6. Learned Advocate produces the judgment of the Hon'ble Supreme Court in the case of R.B. Desai and Anr Versus S.K. Khanolkar & Ors. reported in (1999) 7 SCC 54 wherein it is held that,</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><i>"We are of the opinion that if at the time of consideration for promotion the candidates concerned have acquired the eligibility, then unless the rule specifically gives an advantage to a candidate with earlier eligibility, the date of seniority should prevail over the date of eligibility. The rule under consideration does not give any such priority to the candidates acquiring earlier eligibility and, in our opinion, rightly so. In service law, seniority has its own weightage and unless and until the rules specifically exclude this weightage of seniority, it is not open to the authorities to ignore the same."</i></p> <p>7. Learned Advocate further states that the case of the Applicant is covered by the judgment of the Hon'ble Supreme Court in R.B. Desai's case (supra). Hence, she should be granted seniority as per the seniority list dated 03.08.2018.</p> <p>8. Learned P.O. for the Respondents opposes to the submissions of learned Advocate.</p> <p>9. In view of the judgment of Hon'ble Supreme Court in R.B. Desai's case (supra), we grant relief to the Applicant as prayed for in prayer clause 9(a) of this O.A. Therefore we declare that the supersession of the Applicant by order dated 09.01.2019 is not justified and therefore we direct the Respondents to consider the Applicant for promotion for the post of Warden and grant her all consequential service benefits within the period of one month from the date of this order.</p> <p>10. O.A. stands disposed of.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.05.2022</p> <p>O.A.No.497 of 2021</p> <p>V. M. ChandanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the transfer order dated 15.07.2021 whereby he is transferred from Mundwa Police Station to Special Branch within Police Commissionerate, Pune City. 3. The Applicant is serving in the cadre of API. He was posted at Mundwa on promotion by order dated 25.11.2019. However, on default report, he is transferred before completion of his normal tenure and posted in Special Branch as per the decision of the PEB. 4. When the matter is taken up for hearing, learned Counsel for the Applicant submits that O.A. be disposed of with liberty to Applicant to make representation to Commissioner of Police, Pune for transfer from Special Branch. 5. In view of above, the Original Application is disposed of with liberty to Applicant to make representation to Commissioner of Police, Pune who shall decide it on it's own merit at the time of general transfer. 6. The representation be made within a week. 7. No order as to costs. <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : ⁰⁵~~04~~.05.2022

O.A.No.921 of 2021

R. P. Mhaskar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. When the matter is taken up for hearing, it is noticed that short Affidavit is filed on behalf of the Respondent No.2 – Educational Commissioner, Pune only and no reply is filed on behalf of the Respondent Nos.1 and 3. The impugned order is passed by the Respondent No.3- Chief Executive Officer, ZP, Nagpur who is served but none appeared on behalf of the ZP.
3. In present matter, the issue of maintainability of O.A. without preferring an appeal as well as competency of the Chief Executive Officer, ZP to pass the order of punishment is involved. According to learned Counsel for the Applicant, the competent authority is Government since the Applicant is Class-I Government officer.
4. Therefore, reply of Respondent No.1 – Government as well as detailed reply of Respondent No.2 – Education Commissioner is required to decide the issue of jurisdiction.
5. On request of learned P.O. last chance is granted to file the reply on behalf of Respondent No.1 and 2.
6. S.O. to 15.06.2022.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">Date : ⁰⁵04.05.2022</p> <p style="text-align: center;">O.A.No.935 of 2021</p> <p>R. A. LokhandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Pooja Mankoji holding for Shri S. S. Dere, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for appointment on compassionate ground challenging the order dated 29.12.2020 whereby the claim is rejected on the ground that the deceased had third child born after cut-off date i.e. 31.12.2001 in terms of G.R. dated 28.03.2001.</p> <p>3. In O.A., the Applicant states that his father was infected with Covid-19 and suddenly died due to heart attack and pneumonia. The Applicant, however, has not produced medical papers to show the cause of death. If it is really a death due to Covid-19, in that event, the Government can consider the issue of relaxation of G.R. dated 28.03.2001.</p> <p>4. The deceased Government servant died leaving behind the widow and two daughters and one son. There is no earning member in the family since the son is taking education and daughters are also unmarried. Therefore, it is necessary to find out whether the deceased Government servant who was Room Boy died due to Covid-19 infection.</p> <p>5. Learned Counsel for the Applicant requested for grant of time to produce medical certificates of the deceased Government servant.</p> <p>6. Time as prayed for is granted.</p> <p>7. S.O. to 14.06.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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 04.05.2022</p> <p align="center">O.A.No.269 of 2021</p> <p>P. G. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Archana B. K., Presenting Officer for the Respondents is present.</p> <p>2. The matter is adjourned to give one opportunity.</p> <p>3. S.O. to 16.06.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</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 : 05.05.2022</p> <p align="center">O. A. No.798 of 2020</p> <p>S. G. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. A. Jadhavar holding for Shri S. K. Hande, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant sought time to produce certain documents and requested for grant of time.</p> <p>3. S.O to 14.06.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>