

**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><u>05.06.2023</u></p> <p style="text-align: center;"><u>M.A 273/2023 in O.A 35/2023</u></p> <p>Shri N.A. Chechare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri L.S Deshmukh, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel submits that he wants time to serve copy of the Original Application to the original applicant.</p> <p>3. S.O to 19.6.2023.</p> <p style="text-align: right;">Sd/- ✓ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders Date : 05.06.2023</p>
	<p>M.A.No.366/2023 in O.A.No.626/2023</p> <p>Dr. A.H. Dhanawade & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A.No.366/2023 is filed seeking for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are 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.366/2023 is allowed.</p> <p style="text-align: right;">Sd/- _____ (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><u>05.06.2023</u></p> <p style="text-align: center;"><u>C.A 25/2023 in O.A 996/2021</u></p> <p>S.S Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mrs Punam Mahajan, learned counsel for the applicant and Mr A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that on 18.2.2022 the Collector, Kolhapur has sought opinion from the Revenue Department to consider about the educational qualification and age of the applicant. On 14.3.2023 the Revenue Department has raised some queries.</p> <p>3. Under Secretary, Revenue Department is directed to remain present and explain the delay.</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>ank</p> <p>LATER ON : 05.06.2023</p> <p>1. Pursuant to the directions given by this Tribunal in the first session, the Section Officer from Revenue Department, Mantralaya and Officer from Kolhapur are present and learned P.O. on instructions has submitted that the letter which was sent on 18.08.2022 from Kolhpuar District Collector Officer was received by the office of Mantralaya in September, 2022. This explanation ex-facie is not satisfactory. Hence, the Deputy Secretary of Revenue Department is hereby directed to come along with the Registry to show that the said letter was received by the office of Mantralaya in September, 2022.</p> <p>2. It is made clear if the order of the Tribunal was not acceptable to the Government why Writ Petition was not filed or the order should have been implemented. However, the Government has not taken any action on it till today. Therefore the Deputy Secretary is directed to come with the file to explain this situation</p> <p>3. Adjourned to 06.06.2023.</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

Date : 05.06.2023

O.A.No.1038/2022 with O.A.No.1039/2022

V.R. PawarApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. has submitted that the officers from Public Health Department Nashik are present today.

3. Adjourned to 09.06.2023.

Sd/-

√ (Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.06.2023</p> <p align="center">O.A.No.626/2023</p> <p>Dr. A.H. Dhanawade & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks permission to amend the O.A. by adding the Finance Department in the array of Respondent.</p> <p>3. Allowed to carry out the amendment. Learned Advocate is directed to serve the copy of O.A. to the concerned Respondent forthwith.</p> <p>4. Learned Advocate has submitted that the Applicants who are Medical Officers (Doctors) at various Government/ Civil Hospital that the age of 64 years at par with Central Government and by way of interim relief they want the Tribunal to allow the applicants to continue their services and they are not relieved w.e.f. 31.05.2023. As per the proviso of Rule 10 of M.C.S. (Pension) 1982 all the applicants are Doctors within the age group of 58 to 60 years. Learned Advocate relies on the order passed by the Tribunal on 01.06.2023 in O.A.No.623/2023, Dr. V.N. Dekate & Ors. Versus State of Maharashtra & Ors, similarly, the order of the High Court dated 26.05.2023 in Writ Petition No.3349/2023 wherein Medical Officers like the applicants were allowed to continue their services till 08.06.2023 till 12.06.2023 respectively.</p>

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Tribunal's orders

5. Learned C.P.O. while opposing the prayer on instructions submits that as on today the present applicants are not in service. She further submits that the Medical Officers who were applicants in Writ Petition before the Hon'ble High Court were in service and the present applicants are not in service since last four days.

6. Learned Advocate for the applicants submits that the present applicants are not retired and not given official communication about the retirement.

7. Considering the submissions of the learned Advocate and the learned C.P.O. Respondents are directed to make one sentence affidavit about whether the applicants as on today are in service. Learned C.P.O. is further directed to file affidavit to the extent of interim relief. Copy of the affidavit is to be issued to learned Advocate on 07.06.2023.

8. Adjourned to 08.06.2023. *11.*

Sd/-

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.58 of 2023</p> <p>A.D. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. While Applicant was serving in the cadre of Police Inspector, Government by order dated 20.10.2021 promoted him to the post of Dy. Superintendent of Police and he was allotted Pune Division in view of Division Cadre Allotment Rules. Thus he was required to be given posting in Pune Division. Government later by order dated 21.12.2021 accordingly posted him as Additional Superintendent of Police, C.I.D., Pune. However, Respondent No.3 – Additional Director General of Police, C.I.D., Pune by order dated 22.12.2021 posted him at C.I.D., Amravati and at the same time he was shown attached to C.I.D., Kokan Bhavan, Navi Mumbai for eight months. Accordingly, the Applicant joined C.I.D., Navi Mumbai and since then he is working at Navi Mumbai. This O.A. is later filed belatedly on 12.01.2023 challenging the order dated 22.12.2021 issued by Respondent No.3 whereby he was given posting at Amravati and attached to C.I.D., Navi Mumbai for 8 months.</p> <p>3. Learned Advocate for the Applicant sought to assail order dated 22.12.2021 mainly on the ground that since the Applicant was given Pune Division order of Respondent No.3 giving posting to him at Amravati and attachment to C.I.D., Navi Mumbai is bad in law. He further submits that the Applicant is retiring at the end of this month i.e. June 2023 and to facilitate grant of Pension etc. he needs to be posted at Pune. He has further pointed out one material subsequent development that recently Government by order dated 22.05.2023 posted Smt. Kranti Pawar in place of the Applicant at Amravati and in view of her posting at Amravati his client will be transferred somewhere.</p> <p>4. Learned P.O. in reference to contention raised in Affidavit-in-Reply sought to contend that the Amravati posting was given to the Applicant as per the P.T.O. vacancy position.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Notably, there is no specific pleading in Affidavit-in-Reply that no post was available in Pune Division so as to give posting to the Applicant in Amravati Division. Indeed, the Applicant was required to be posted in Pune Division in view of allotment of division to him. This being so the order passed by Respondent No.3 giving posting to the Applicant at Amravati is apparently in contravention of Division Cadre Allotment Rules.</p> <p>6. However, fact remains that the Applicant had accepted the order dated 22.12.2021 giving him posting at Amravati and attachment at Navi Mumbai. After more than one year he filed the O.A. which shows that he acquiesced the transfer order.</p> <p>7. That apart now in view of posting of Smt. Kranti Pawar at Amravati the Applicant is required to be transferred. Learned P.O. on instruction stated that the file is already moved for giving appropriate posting to the Applicant in view of posting of Smt. Kranti N. Pawar in his place. According to her necessary order will be passed within a week.</p> <p>8. As stated above, the Applicant is retiring at the end of this month. The Applicant is already working as Additional Superintendent of Police, C.I.D., Navi Mumbai for more than one year on vacant post. This being so, there is no propriety to disturb him for remaining one month period of service. Needless to mention even if where Government servant is due for transfer his tenure can be extended where he is due to retire within one year in terms of Section 5 (1) of Transfer Act, 2005. Therefore, it would be appropriate to Transfer the Applicant on his present post at C.I.D. Navi Mumbai so that he could continue and retire from the said post to facilitate grant of retrial benefits.</p> <p>9. In view of above, O.A. is disposed of with direction to the Respondent No.3 to issue regular posting order of the Applicant at C.I.D. Navi Mumbai where he is presently working or to transfer him in Pune Division which was Division allotted to him in terms of Division Allotment Cadre Rules. Necessary orders to that effect shall be issued within 10 days on priority basis in view of ensuing retirement of the Applicant at the end of this month.</p> <p>10. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 05.06.2023

O.A.No.1005 of 2021

S. G. Parab

....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. Today, learned Counsel for the Applicant has filed Affidavit in Rejoinder. It is taken on record.

3. S.O. to 04.07.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 05.06.2023</p> <p align="center">O.A.No.68 of 2023</p> <p>Dr. V. P. KaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent No.1 and Smt. Punam Mahajan, learned Counsel for Respondent No.2.</p> <p>2. Today, learned Counsel for the Respondent No.2 has filed Affidavit in Sur- Rejoinder. It is taken on record.</p> <p>3. S.O. to 21.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 05.06.2023

O.A.No.41 of 2023

N. S. Bhise & Ors.Applicants

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Today, learned P.O. has filed Affidavit in Sur- Rejoinder on behalf of Respondent Nos.1 to 4. It is taken on record.

3. S.O. to 19.06.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 05.06.2023</p> <p align="center">O.A.No.222 of 2022</p> <p>Sunil S. PadaveApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit in Rejoinder. It is taken on record.</p> <p>3. S.O. to 04.07.2023.</p> <p align="right">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
	<p>Date : 05.06.2023</p> <p>M. A. No.188 of 2023 in O.A.No.418 of 2020</p> <p>S. P. PathakApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. G. Panchal, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed for early hearing of O.A. The O.A. was initially before the Division Bench and, therefore, M.A. was filed before the D.B. for early hearing. 3. The D.B. transferred the O.A. to this bench for decision of O.A. on merit since the subject matter pertains to Single Bench. 4. O.A.No.418/2020 is already ripe for final hearing. M.A.No.188/2023 is, therefore, disposed of and hearing of O.A. is expedited. 5. In O.A., the Applicant has challenged the order of punishment imposed by the disciplinary authority dated 28.09.2018 whereby punishment of deduction of 6% pension per month for 10 years is imposed. Against the said order of punishment, the Applicant has preferred an appeal before the Hon'ble Governor. Since Appeal was not decided within reasonable time, he filed this O.A. 6. When the matter is taken up for hearing, learned Counsel for the Applicant has tendered communication dated 12.07.2021 issued by the office of Governor stating that in view of request application made by the Applicant on 08.04.2021, the Appeal is disposed of. 7. Notably, the Applicant in his application dated 08.04.2021 which is tendered for perusal of record all that Applicant stated that because of Covid-19 pandemic situation, he cannot travel and requested to adjourn the Appeal <i>sine-die</i>. However, surprisingly in reference to application made by the Applicant, the Appellate Authority has disposed of the Appeal without deciding it on merit which is very strange. 8. In view of above, learned P.O. is directed to take instructions to apprise the Tribunal how Appeal is disposed of in such manner without deciding the same on merit. 9. S.O. to 06.06.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 05.06.2023

O.A.No.743 of 2022 with O.A.No.744 of 2022

Dr. K. S. Madar

....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. Interim relief to continue till next date.

3. S.O. to 28.06.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 05.06.2023</p> <p align="center">O.A.No.427 of 2018</p> <p>R. J. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. As per order dated 04.05.2023 liberty was given to learned P.O. to file reply to amendment made in O.A. before two weeks of next date of final hearing with copy to other side so that matter could be heard today. However, there is no compliance of the order passed by the Tribunal and no reply to amendment is filed by the Respondents.</p> <p>3. In view of above, the O.A. shall proceed further on merit without reply of the Respondents to the amendment made in O.A.</p> <p>4. O.A. be kept at 2.30 P.M.</p> <p align="right">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
	<p>Date : 05.06.2023</p> <p style="text-align: center;">O.A.No.528 of 2023</p> <p>Shri Iqbal B. ShaikhApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 30.07.2021 whereby he was suspended in view of registration of crime under the provisions of Prevention of Corruption Act. 3. Learned Counsel for the Applicant submits that co-accused in same crime namely Jairaj Chhapriya, Police Inspector is already reinstated in service but Applicant is discriminated. 4. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 5. Issue notice before admission returnable on 04.07.2023. 6. 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. 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 8. 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. 9. 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. 10. S.O. to 04.07.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date : 05.06.2023</p> <p align="center">O.A.No.625 of 2023</p> <p>N. S. KadbhaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. The matter is adjourned to give opportunity of hearing to learned Counsel.</p> <p>3. S.O. to 16.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 05.06.2023</p> <p align="center">O.A.No.427 of 2018</p> <p>R. J. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. As per order dated 04.05.2023 liberty was given to learned P.O. to file reply to amendment made in O.A. before two weeks of next date of final hearing with copy to other side so that matter could be heard today. However, there is no compliance of the order passed by the Tribunal and no reply to amendment is filed by the Respondents.</p> <p>3. In view of above, the O.A. shall proceed further on merit without reply of the Respondents to the amendment made in O.A.</p> <p>4. O.A. be kept at 2.30 P.M.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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5. In afternoon session, learned P.O. requested to file no. 4010/23 the Affidavit-in-Reply to the amendment made by the Applicant in O.A.

6. In the interest of justice allowed to file Reply to the amendment. It is taken on record.

7. O.A. be kept for Final Hearing with liberty to file Rejoinder, if any.

8. S.O. to 19.06.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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	<p>Date : 05.06.2023</p> <p align="center">O.A.No.1208 of 2022</p> <p>D.B. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Respondent - Commissioner, State Excise has not filed affidavit in reply and matter is already proceeded for hearing without reply.</p> <p>3. Today, learned Counsel for the Applicant has filed Additional Affidavit to bring on record certain subsequent developments in view of stay to the suspension order by the Government.</p> <p>4. Learned Counsel for the Applicant requested to implead Government as Respondent No.2. Allowed to implead him as Respondent No.2.</p> <p>5. In O.A. the Applicant has challenged suspension order dated 11.11.2022 whereby the Commissioner, State Excise suspended him in contemplation of D.E.</p> <p>6. The perusal of additional Affidavit of the Applicant filed today reveals that Applicant has filed representation/appeal before the Government on 22.11.2022. Against the suspension order, the Minister in Charge of the department has passed the following order which is as under:-</p> <p align="center">"प्रधान सचिव (रा.उ.क्ष) आयुक्तालय (रा.उ.क्ष) यांचे दि.११.११.२०२२ चे आदेशास स्थगिती होणेसाठी अपिलार्थी यांचे म्हणणे ऐकून घ्यावे. सुनावणी घ्यावी."</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. Thus, the order of suspension is stayed and appeal/representation is required to be decided by the authority on its own merit.</p> <p>8. Learned Counsel for the Applicant also fairly stated that in pursuance of stay to the suspension order, the Applicant has joined the services.</p> <p>9. Thus, the suspension order dated 11.11.2022 is already stayed by the Government and appeal /representation is still subjudice before the authority. Therefore, the O.A. has to be disposed of with directions to the Respondent No.2 - Government to decide the Appeal/representation dated 22.11.2022 filed by the Applicant within two months from today in accordance to law and the decision as the case may be, shall be communicated to the Applicant within two weeks thereafter.</p> <p>10. If the Applicant felt aggrieved by the decision, he may avail further remedy as permissible in law.</p> <p>11. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p><u>O.A 1273/2022</u></p> <p>Shri P.N Bhandare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 17.7.2023.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 05.06.2023

O.A.No.205/2023

C.D. TambeApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned P.O. Mr. A.J. Chougule has submitted that the enquiry is completed by the Enquiry Officer on 22.05.2023. On instructions, he submits that within 15 days the copy of the enquiry report will be furnished to the Delinquent Officer.

3. Learned Advocate has submitted that under such circumstances, the enquiry is to be entirely concluded and final order is to be passed at the earliest and with directions the O.A. can be disposed of.

4. Submissions of learned Advocate are accepted and the O.A. is disposed of with following order :

Respondents to furnish the copy of enquiry report to the applicant and further procedure is to be completed and final order is to be passed within three months i.e. till 13.09.2023.

5. O.A. is disposed of.

Sd/-

/(Mridula Bhatkar, J.)
Chairperson

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 05.06.2023

C.A.No.47/2023 in O.A.No.280/2023

S.B. KalekarApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.
2. Issue Contempt Notice on Respondent No.1, Mr. Anand Limaye, Respondent No.2, Mr. Rajnish Seth, and Respondent No.3, Mr. Vivek Vasant Phansalkar.
3. On instructions from Ms. Yogita Malap, Desk Officer, Home Department, it is found that though the copy of the order of this Tribunal was served on all the three Respondents on 25.04.2023, the file was sent to the Law and Judicial Department on 25.05.2023 and thereafter the Law and Judicial Department after one week thereafter i.e. on 02.06.2023 had forwarded the file with opinion to move before the High Court. The last date of retirement of the Applicant was 31.05.2023. This Tribunal has continued his service till 05.06.2023 by order dated 30.05.2023.
4. Learned P.O. has submitted that the Respondents want time to approach the High Court challenging the order.
5. It is made clear that the office of Respondents either should have challenged the order of the Tribunal dated 21.04.2023 before the Hon'ble High Court and should have sought the order or the date of birth of the applicant should have been corrected as per the order of the Tribunal. As the applicant is retired and the order of the Tribunal is not complied with and further no order from the High Court is produced, notice of Contempt is hereby issued on :
Respondent No.1, Mr. Anand Limaye,
Respondent No.2, Mr. Rajnish Seth and
Respondent No.3, Mr. Vivek Vasant Phansalkar
6. C.A. adjourned to 09.06.2023.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.46 of 2023 in O.A. No.931 of 2022</u></p> <p>Shah Arif A.G. Dastagir ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that order dated 15.2.2023 passed by this Tribunal directing the department to consider the case of the applicant for promotion to the post of Maharashtra Agriculture Services Group-A, Senior (Superintending Agriculture Officer) within one month from the date of the order is not complied with. She submits that one month period was over on 15.3.2023 and no application for extension is filed by the respondents and hence there is clear contempt and juniors of the applicant are promoted by order dated 5.4.2023 and now applicant is transferred by order dated 30.5.2023.</p> <p>3. In view of this matter is fixed on 12.6.2023.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.1 of 2023 in O.A. No.337 of 2022</u></p> <p>D.W. Pande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant and Advocate both are absent.</p> <p>3. Pursuant to order dated 4.5.2023 the respondents were directed to remain present with all the necessary information in respect of compliance of the order of this Tribunal on 5.6.2023. However, none is present.</p> <p>4. S.O. to 7.6.2023. The concerned officers are directed to remain present.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.13 of 2023 in O.A. No.961 of 2022</u></p> <p>J.R. Solanki ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that applicant is given appointment and he has joined on 9.5.2023.</p> <p>3. As the order is complied with now nothing survives in the CA and the same is disposed off accordingly by consent.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p><u>M.A 71/2022 in O.A 120/2022</u></p> <p>Shri N.B Dhaygude ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Misc Application is filed seeking condonation of delay of 3 years.</p> <p>3. Learned counsel for the applicant submits that the Original Application is filed seeking promotion and challenges the promotion given to Respondent no. 7 who is junior to the applicant and further Respondent no. 7 has already retired from service.</p> <p>4. Learned counsel for the applicant submits that the cause of action arose on 21.12.2015 when Respondent no. 7 was promoted from NT(C) category. The applicant came to know about the said order in the year 2017. The applicant made representation to the authority on 31.8.2017. No reply was received by the applicant. On 30.1.2018 the applicant filed R.T.I application. He received reply on 17.2.2018. After that the applicant submitted detailed representation on 30.5.2018 to Respondent no. 3, stating therein that the promotion given to Respondent no. 7 was in violation of the G.R.</p> <p>5. Learned P.O submits that it is false to say that the applicant has knowledge about the promotion of Respondent no. 7 in the year 2017. She relies on the affidavit in reply dated 12.5.2022, filed by the Respondents through Tulsiram Chaure, P.I, (Armourer), and submitted that the gradation list was published in the year 2015 and the applicant did not raise any objection to the said gradation list.</p> <p>6. Considering the dates given by the learned counsel for the applicant, he should have filed application in the year 2016 or at the most 2018. Filing of representation itself cannot be considered as extension of the period of limitation. From the submissions, it is clear that there is an unexplained delay of nearly appropriately 3 years. The Original Application was filed in the year January, 2022.</p> <p>7. However, in view of the prayer made by the applicant in the Misc Application, the delay is condoned subject to the applicant depositing cost of Rs. 5000/- in the Registry of this Tribunal within 3 weeks.</p> <p>8. Misc Application stands disposed of.</p> <p>9. O.A 120/2022 to be placed on Board before the Tribunal on 26.6.2023.</p> <p style="text-align: right;">Sd/- / (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
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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p align="center"><u>M.A 279/2023 in O.A 459/2023</u></p> <p>Shri M.U Harpalkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the matter pertains to promotion and the cause of action arose on 13.12.2021 when the order of rejection of induction of the present applicant in IAS cadre was passed. The impugned order was received by the applicant on 28.3.2022. Hence, the last date of filing the Original Application was 27.3.2023. However, the applicant moved the Hon'ble High Court by filing W.P 5811/2022. Liberty was granted by the Hon'ble High Court to approach the appropriate Forum. Hence, there is delay of one month which can be condoned.</p> <p>3. Learned C.P.O submits to the order of the Court.</p> <p>4. In view of the explanation and the short period of one month, the delay is condoned.</p> <p>5. Misc Application seeking condonation of delay is allowed.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

I N

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p align="center"><u>O.A 459/2023</u></p> <p>Shri M.U Harpalkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that there is a similar case bearing no. 1075/2022 which is kept on Board on 13.6.2023.</p> <p>3. Though O.A 1075/2022 is posted on 13.6.2023, it is preponed and scheduled on 9.6.2023. Learned counsel Mr Lonkar for the applicant in O.A 1075/2022 to take note of the same.</p> <p>4. The officer from G.A.D is directed to remain present.</p> <p>5. S.O to 9.6.2023.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p align="center"><u>O.A 02/2023</u></p> <p>Shri M.K Sirsat ... 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 files affidavit in reply.</p> <p>3. S.O to 19.6.2023.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p align="center"><u>O.A 448/2021 & 660/2021</u></p> <p>Shri S.C Patil & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 26.3.2023.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>


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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p align="center"><u>O.A 1273/2022</u></p> <p>Shri P.N Bhandare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 26.3.2023.</p> <p align="right">  Sd/- (Mridula Bhatkar, J.) Chairperson </p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

I N

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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. No.685 of 2016 with O.A. No.703 of 2016</u></p> <p>H.B. Gavhane C.D. Pawar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p align="center">Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Applicant Shri C.D. Pawar is present in the Court.</p> <p>3. Shri B.A. Bandiwadekar, Ld. Advocate for the Applicants and Shri P.S. Devdas, Ld. Advocate for Respondent No.3 are absent. Officers from the Department are not present.</p> <p>4. S.O. to 7.6.2023 under the same caption of Final Hearing (P.H.).</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</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><u>05.06.2023</u></p> <p align="center"><u>M.A 80/2023 in O.A 79/2023</u></p> <p>Shri Kiran S. Tordmal ... Applicant/ Intervenor</p> <p>In the matter between</p> <p>Shri R.N Saykar ...Applicant Vs. The State of Maharashtra & Ors .. Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant-Intervenor, Mrs K.S Gaikwad, learned P.O for the Respondents and Shri B.A Bandiwadekar, learned counsel for the Original Applicant.</p> <p>2. This Misc Application seeking amendment needs to be modified as no amendment of adding of parties in the array of the Respondents can be done at the request of the proposed Respondent.</p> <p>3. Learned counsel Mr Dere submits that he wants to modify the Misc Application for amendment as Intervention Application.</p> <p>4. Permission granted. Amendment to be carried out forthwith.</p> <p>5. S.O to 8.6.2023.</p> <p align="right">Sd/-  (Mriduh Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 05.06.2023</p> <p align="center">O.A.No.427 of 2018</p> <p>R. J. SawantApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. As per order dated 04.05.2023 liberty was given to learned P.O. to file reply to amendment made in O.A. before two weeks of next date of final hearing with copy to other side so that matter could be heard today. However, there is no compliance of the order passed by the Tribunal and no reply to amendment is filed by the Respondents.</p> <p>3. In view of above, the O.A. shall proceed further on merit without reply of the Respondents to the amendment made in O.A.</p> <p>4. O.A. be kept at 2.30 P.M.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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I N

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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. No.1055 of 2021</u></p> <p>M.S. Mhaske & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere holding for Shri L.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. No officer from the office of respondents are present.</p> <p>3. Ld. CPO submits that OA No.64/2022 is connected matter and they are to be taken together.</p> <p>4. S.O. to 9.6.2023.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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. No.1091 of 2016</u></p> <p>A.G. Phulsange ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. S.O. to 15.6.2023.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</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 align="center"><u>O.A. No.1108 of 2016</u></p> <p>M.S. Utpat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant and Advocate both are absent.</p> <p>3. Officers from the Department are not present.</p> <p>4. S.O. to 7.6.2023.</p> <p align="right">Sd/- /v (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</p>

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	<p align="center"><u>CA.41/2021 in OA.1052/2016 with MA.700/2019 in RA.23/2019 in OA.1052/2016</u></p> <p>V.S. Patil V.S. Kalekar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicants and Advocate both are absent. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that in this matter the order of the Tribunal is challenged before the Hon'ble High Court by filing Writ Petition No.6915 of 2021.</p> <p>3. S.O. to 3.7.2023.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.670 of 2021 with M.A. No.392 of 2021</u></p> <p>Dr. A.S. Chandanwale Dr. S.D. Nanandkar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri S.B. Talekar, Ld. Advocate for the applicant in OA and Shri B.A. Bandiwadekar, Ld. Advocate for the applicant in MA are absent. Officers from the Department are not present.</p> <p>3. S.O. to 12.6.2023 under the same caption of Final Hearing (P.H.).</p> <p><u>Later on:</u></p> <p>4. Ms. Jwala Jose, Ld. Advocate i/b. S.B. Talekar & Associates appears at 12.20 p.m.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>05.06.2023</u></p> <p align="center"><u>M.A 51/2023 in O.A 1276/2022</u></p> <p>Shri J.R Deshmukh .. Applicant Vs. The State of Maharashtra & Ors .. Respondents</p> <p>1. Heard Mrs Vaishali Jagdale, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents 1 & 2 and Shri Kiran Upasni holding for Shri S.S Mishra, learned counsel for Respondent no. 3 to 7.</p> <p>2. Learned counsel for the applicant seeks time to file rejoinder.</p> <p>3. Learned C.P.O submits that the judgment order dated 6.6.2022 of the Division Bench of this Tribunal in O.A 173 & 174/2021 is set aside by the Hon'ble Bombay High Court by order dated 11.4.2023 in W.P 8852/2022 and therefore, both the Misc Application and Original Application has become infructuous.</p> <p>4. Learned counsel Mr Upasni for Respondents no 3 to 7 submits that reply is filed on 5.4.2023 and they have mainly challenged the Misc Application and Original Application on the ground of delay of more than 10 years.</p> <p>5. Learned counsel for the applicant seeks time to go through the judgment of the Hon'ble Bombay High Court.</p> <p>6. S.O to 15.6.2023.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.564 of 2023</u></p> <p>Shivaji D. Shelke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that DE was initiated by issuing charge sheet on 15.2.2022 i.e. just before 3 months prior to retirement. The applicant was holding the post of Superintending Agriculture Officer. Ld. Advocate for the applicant submits that DE was initiated in respect of incident which has taken place in 2008-09. Ld. Advocate submits that at page 11 of the OA she has given details of GRs which are required to be followed. GRs dated 24.12.1985 & 15.5.1990 are regarding expeditiously conducting the DE. GR dated 24.2.1997 is regarding DE to be taken on priority basis. GRs dated 7.8.2008, 30.10.2010 & 20.2.2015 are also referred. She further relied on the judgment of the Hon'ble Supreme Court in <u>Prem Nath Bali Vs. Registrar, High Court of Delhi & Anr. Civil Appeal No.958 of 2010 decided on 16.12.2015</u>, wherein it is held that DE is to be concluded within six months and outer limit is one year.</p> <p>3. Ld. Advocate submits that applicant has given reply and has requested on 21.8.2022 for cancellation of the DE. Ld. Advocate prays for staying the DE on the ground that incident has taken place in 2008-09.</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 26.6.2023. The respondents are directed to file reply.</p> <p align="right">✓</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<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. Respondents are put to notice that the case may 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. 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>9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 5.6.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.119 of 2023</p> <p>K.A. AdmaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Tanvi Pathak, learned Advocate holding for Shri S.K. Hande, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On previous date two weeks time was granted to file Affidavit-in-Reply by way of last chance but the same is not filed. Hence, I am not inclined to grant two weeks time as requested by learned P.O.</p> <p>3. O.A. be kept for hearing at the stage of admission without Reply.</p> <p>4. S.O. to 26.06.2023.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.158 of 2023</p> <p>Dr. D.G. BiradarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Smt Archana B.K., learned Presenting Officer for the Respondents is present. On previous date last chance was granted to file Affidavit-in-Reply but the same is not filed. Hence, matter to proceed without Affidavit-in-Reply and be kept for hearing at the stage of admission. S.O. to 27.06.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.201 of 2023</p> <p>S.V. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents. 2. Today matter is for filing Rejoinder by the same is not filed. 3. O.A. be kept for hearing at the stage of admission. 4. S.O. to 27.06.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.224 of 2023</p> <p>V.R. PanchalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. O.A. be kept for Final Hearing.</p> <p>4. S.O. to 30.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.349 of 2023</p> <p>S.P. KalgutkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 30.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.406 of 2023</p> <p>S.M. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 19.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.540 of 2023</p> <p>R.H. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 20.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">M.A. No.346 of 2023 in O.A. No.556 of 2023</p> <p>P.W.Renuse & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for admission it is revealed that the M.A. for condonation of delay is not filed. Since <i>prima-facie</i> O.A. is not within limitation.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file M.A. for condonation of delay.</p> <p>3. S.O. to 19.06.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p style="text-align: center;">O.A. No.557 of 2023 with O.A. No.558 of 2023</p> <p>Dr. A.E. Talekar Dr. A.K. KolheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K. & Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant have raised the grievance of none grant of HRA, Medical Reimbursement and additional allowance for holding additional charge etc. They made representation from time to time but not responded.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 28.06.2023.</p> <p>5. 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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 style="text-align: right;">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. 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.</p> <p>9. In the meantime, Respondents shall take decision on the Representation and appraise the Tribunal by next date so that O.A. could be disposed of expeditiously.</p> <p>10. S.O. to 28.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">O.A. No.560 of 2023</p> <p>S.A. KolapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 28.02.2023 whereby recovery of Rs.14,10,690/- (Rupees Fourteen Lakhs Ten Thousand Six Hundred and Ninety Only) is sought for unauthorized retention of service quarter. The Applicant stands retired on 30.06.2019 and after three months concession he was to vacate the quarter at the end of 30.09.2019 but he continued the possession of the quarter.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 21.06.2023.</p> <p>5. 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>9. S.O. to 21.06.2023.</p> <p style="text-align: right;">Sd/- w* (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">Date: 05.06.2023</p> <p style="text-align: center;">O.A. No.624 of 2023</p> <p style="text-align: center;">P.S. KavateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant stands retired on 31.05.2021 but some of the retiral benefits are not paid, and therefore filed this O.A. He was suspended but later Suspension period was treated as duty period. However, difference of pay and allowance for the said period of suspension and arrears of 7th Pay Commission is not paid. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 21.06.2023. 5. 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. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. 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 style="text-align: right;">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>9. S.O. to 21.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p>O.A. No.603 of 2023</p> <p>K.V. BhaikApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order dated 03.06.2022 & 10.04.2023 thereby rejecting his request to count his service on the post of Police Constable for the benefit of Time Bound Promotion Scheme. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 03.07.2023. 5. 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. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. 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. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 03.07.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 05.06.2023</p> <p>M.A. No.02 of 2023 in O.A. No.1274 of 2022</p> <p>B.S. KapseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant to the Affidavit-in-Reply filed by the Respondent.</p> <p>3. S.O. to 30.06.2023 for hearing of M.A.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 05.06.2023</p> <p>M.A. No.107 of 2023 in O.A. No.192 of 2023</p> <p>D.V. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant, Smt Archana B.K., learned Presenting Officer for the Respondents. Shri P. Singh, learned Advocate for the Respondent No.2 is absent.</p> <p>2. On request of learned P.O., M.A. is adjourned for hearing.</p> <p>3. S.O. to 30.06.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 05.06.2023</p> <p align="center">M.A. No.222 of 2023 in O.A. No.251 of 2023</p> <p>A.D. VeerApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. On request of learned P.O. two weeks time is granted to file Reply to M.A. 4. S.O. to 19.06.2023. <p align="right"> Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>