

**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>05.10.2021</u></p> <p align="center"><u>O.A 1033/2015</u></p> <p>T.D Tayade ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.D Rankhambe, learned advocate for the applicant and Smt K.S Gaikwad , learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks time to lay hand over the judgment delivered by the M.A.T, Nagpur Bench in the month of September, 2021, as he submits that it is on the same line.</p> <p>3. Time granted.</p> <p>4. Respondents may file affidavit in reply to the amended O.A on or before 26.10.2021 and copy of the same be given to the learned counsel for the applicant.</p> <p>5. S.O to 16.11.2021.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>05.10.2021</u></p> <p align="center"><u>O.A 310/2021</u></p> <p>Shri B.R Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Sandesh More, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Affidavit in reply has already been filed. Learned counsel for the applicant files affidavit in rejoinder along with compilation of documents, on which the applicant is relying.</p> <p>3. Admit. Place for final hearing on 16.1.2021</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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O.A. No.689 of 2021

A.S. Gengane ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 3 and Shri M.D. Lonkar, learned Advocate for Respondent No.4.

2. Perused the short affidavit in reply dated 22.9.2021 filed on behalf of respondents no.1 to 3 by Shriram D. Yadav, Joint Secretary, Revenue & Forest Department, Mantralaya, Mumbai. This affidavit is in answer to the query made in para 5 of the order dated 8.9.2021 passed in the above OA.

3. Short affidavit in reply to be filed answering the following queries:


(a) Whether vacancies of 63 posts of Naib Tahsildar are to be filled by direct recruitment?

(b) There is mention of the request given by the State to MPSC about filling up the post of Naib Tahsildar. How many posts?

(c) Whether MPSC has given advertisement for filling up of these posts and what is the date?

(d) When this process of recruitment of Naib Tahsildar for 63 posts by nomination will be completed?

(e) Whether the mention of the vacancies of 63 posts in the letter dated 21.1.2020 written by

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Additional Chief Secretary to Divisional Commissioner, Pune Division, Pune is incorrect statement?</p> <p>4. While filing affidavit also to take into consideration the letter dated 16.4.2021 written by Dy. Secretary to the Divisional Commissioner, Pune for sending proposal for promotion to the post of Naib Tahsildar and the letter dated 27.8.2021 written by Section Officer to Divisional Commissioner, Pune.</p> <p>5. Shri M.D. Lonkar, learned Advocate for Respondent No.4 submits that due to order of status quo dated 8.9.2021 passed in the above OA, the respondent no.4 could not be promoted, though there is order of promotion in his favour (Shri Utkarsh V. Deokule) by order dated 27.7.2021 passed in OA No.88 of 2021.</p> <p>6. Smt. Punam Mahajanj, learned Advocate for the applicant submits that applicant does not want to come in the way of respondent no.4 as respondent no.4 has rightful claim on the said post.</p> <p>7. Considering the submissions of Shri M.D. Lonkar and the order dated 27.7.2021 passed in OA No.88 of 2021, we modify our order of status quo in para 5 of order dated 8.9.2021. It is to be reads as follows:</p> <p style="padding-left: 40px;">“5. In view of the above, we direct the respondents to maintain status quo qua the applicant.”</p> <p>8. There is no status quo against respondent no.4 who is required to be promoted as per order dated 27.7.2021 passed in OA No.88 of 2021.</p> <p>9. Affidavit to be filed by 8.10.2021.</p> <p>10. S.O. to 8.10.2021.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>5.10.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula R. Bhakar, J.)</p> <p>Chairperson</p> <p>5.10.2021</p> </div> </div>

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

Tribunal's orders

Date: 05.10.2021

O.A. No.206 of 2019

S.C. ShindeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondent No.1 and Shri M.D. Lonkar, learned Advocate for the Respondent No.2.

2. The Applicant has challenged transfer order dated 25.02.2019, whereby she was transferred from the post Tahasildar, Wada to Assistant Supply Officer, Divisional Commissioner Office, Kokan Vibhag and Respondent No.2 was again brought back at Wada.

3. Learned Advocate for the Respondent No.2 submits that his client is already transferred from Wada at some other place, and therefore, Respondent No.2 may not be necessary party to the O.A.

4. Thus it appears that after transfer of Respondent No.2 from Wada, Shri Uddhav Kadam is posted in his place. Learned Advocate for the Applicant therefore requested for grant of time to join him who is transferred as Tahasildar, Wada in place of Respondent No.2.

5. One week time is granted for filing M.A.

6. S.O. to 13.10.2021.

Sd/-
(A.P. Kurhekar)
Member (J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.10.2021</p> <p>O.A.No.208 of 2021</p> <p>S. B. KambleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., by order dated 24.08.2021, the directions were given to learned P.O. to take instructions from the Respondents about the decision or status of proposal forwarded by the Commissioner for placing the same before the High Power Committee who is empowered to relax the conditions of Rules, 1981.</p> <p>3. This matter is taken up in the morning session but on request of learned P.O. it was adjourned to afternoon session for taking instructions from the Respondents.</p> <p>4. Learned P.O. states that the Respondents are not reachable, and therefore, she cannot tell anything.</p> <p>5. The perusal of order dated 24.08.2021 reveals that the Commissioner for Agriculture had referred the matter to the Government by letter dated 25.09.2020 in respect of some employees to which the Government has raised quarries and called for certain information as seen from letter dated 10.11.2020 and 18.03.2021. Thereafter nothing seems to have happened.</p> <p>6. Indeed, in view of the order passed by the Tribunal, the Respondents ought to have taken care to depute some responsible officer and to instruct the learned P.O. about the status of proposal but the Respondents seems totally indifferent in the matter.</p> <p>7. In view of above, Principal Secretary, Agriculture & Animal & Husbandry Department, Mantralaya, Mumbai is directed to file Affidavit within a week about the status of the proposal submitted by Commissioner on 25.09.2020 and the decision, if any, of High Power Committee.</p> <p>8. Affidavit be filed on next date without fail.</p> <p>9. S.O. to 13.10.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">O.A. No.297 of 2020</p> <p>M.N. ChaudharyApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent Nos. 1 to 3 and Shri Arvind V. Bandiwadekar, learned Advocate for the Respondent No.4.</p> <p>2. Learned Advocate for the Applicant submits that Representation made by his client for transfer to Thane-Vashi III is already under consideration of the Government and requested for two weeks time.</p> <p>3. Adjourned to 25.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date : 05.10.2021</p> <p align="center">M.A.No.109 of 2021 in M.A.No.585 of 2019 in M.A.No.226 of 2019 in O.A.No.761 of 2018</p> <p>M. G. KadamApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. G. Panchal, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. O.A.No.761/2018 is filed to treat the period of suspension from 26.01.2012 to 30.03.2013 as a duty period. This O.A. was filed along with M.A.No.226/2019 for condonation of delay of five years, four months and twenty days.</p> <p>3. However, M.A. as well as O.A. is dismissed in default due to failing of Applicant to collect the notices for services within stipulated time in terms of the order passed by Tribunal.</p> <p>4. Thereafter, M.A.No.585/2019 is filed for restoration along with M.A.No.109/2021 for condonation of delay caused in filing M.A. for restoration.</p> <p>5. Since the Applicant is retired and M.A. was dismissed in default, it would be appropriate to restore M.A.No.226/2019 filed in O.A.No.761/2019 for decision on its own merit subject to cost of Rs.2500/- as condition precedent payable within a week.</p> <p>6. If the cost is paid within a week, M.A.No.226/2019 be restored for hearing on 13.10.2021.</p> <p>7. Accordingly, M.A.No.109/2021 & M.A.No.585/2019 are disposed of.</p> <p align="right">Sd/- (A.P. Kurhekar) [P.T.O. Member(J)</p>

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of 20

IN

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of 20

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	<p align="center"><u>OA.576/2020 with MA 306/2020 with OA.119/2019 with MA.12/2020 in MA.14/2020 with OA No.705 of 2020</u></p> <p>S.P. Sable & Ors. A.T. Sakore ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants in OA.576/2020 and Shri Balasaheb Deshmukh, learned Advocate for Applicant in OA No.119/2019 & 705/2020 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Id. PO files reply in OA No.705 of 2020 and the same is taken on record.</p> <p>3. Id. PO seeks time to file reply in MA No.12 of 2020.</p> <p>4. S.O. to 16.11.2021.</p> <p align="center"> Sd/- (Medha Gadgil) Member (A) 5.10.2021 (sgj) </p> <p align="center"> Sd/- (Mridula R. Bhatkar, J.) Chairperson 5.10.2021 </p>

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	<p><u>05.10.2021</u></p> <p align="center"><u>O.A 359/2021</u></p> <p>Shri B.R Thorat ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Abhay A. Jadhavar, i/b Shri S.K Hande, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks permission to amend the Original Application by replacing the advertisement with new advertisement.</p> <p>3. Permission granted to amend the Original Application. Amendment to be carried out and copy be served on the other side.</p> <p>4. S.O to 23.11.2021.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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of 20

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Original Application No.

of 20

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	<p><u>05.10.2021</u></p> <p><u>O.A 351/2021 with O.A 663/2020 with O.A 682/2021 with O.A 683/2021</u></p> <p>U.S Koli [O.A 351/2021] R.S Yadav [O.A 663/2020] Dr K.J Kuwar & Ors [O.A 682/2021] S.D Kulkarni [O.A 683/2021] ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant in O.A 351/2021 & O.A 682/2021, Shri K.R Jagdale, learned advocate for the applicant in O.A 663/2020, Shri U.V Bhosle, learned advocate for the applicant in O.A 683/2021 and Smt Kranti S.Gaikwad, learned P.O for the Respondents.</p> <p>2. All the Original Applications relate to different subject and different cause of action and therefore, they need to be de-tagged.</p> <p>3. O.A Nos 351/2021 and O.A 663/2020 be placed on Board on 26.10.2021. O.A No. 682/2021 be placed on Board 28.10.2021 and O.A No. 683/2021 be placed on Board on 12.10.2021.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>Akn</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div>



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	<p><u>05.10.2021</u></p> <p align="center"><u>O.A 310/2021</u></p> <p>Shri B.R Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Sandesh More, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Affidavit in reply has already been filed. Learned counsel for the applicant files affidavit in rejoinder along with compilation of documents, on which the applicant is relying.</p> <p>3. Admit. Place for final hearing on 16.1.2021.</p> <p align="center">Sd/-  (Medha Gadgil) Member (A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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of 20



I N

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of 20

FARAD CONTINUATION SHEET No.

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	<p align="center"><u>O.A. No.916 of 2019</u></p> <p>S.D. Haral & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Sri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks three weeks time to verify whether the order dated 13.4.2020 passed by the Nagpur Bench of this Tribunal in OA No.466 of 2019 is applicable.</p> <p>3. S.O. to 26.10.2021.</p> <p align="center"> Sd/- / Sd/- (Medha Gadgil) / (Mridula R. Bhatkar, J.) Member (A) / Chairperson 5.10.2021 / 5.10.2021 </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>M.A. No.391 of 2021 in O.A. No.750 of 2021</u></p> <p>Milind S. Rathod ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.V. Waghmare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable in MA on 26.10.2021. 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. and MA. 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: center;">Sd/-  Sd/- </p> <p style="text-align: center;">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 5.10.2021 5.10.2021</p> <p>(sgj)</p>

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	<p><u>'05.10.2021</u></p> <p style="text-align: center;"><u>O.A 448/2021</u></p> <p>Shri V.R Mane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Dilip Bodake, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents no 1 & 2 and Shri K.R Jagdale, learned advocate for Respondents no. 5 to 7.</p> <p>2. Learned counsel Mr. Jagdale states that initially he was instructed to appear on behalf of Respondents no 5 to 7. However, learned counsel Mr Jagdale states that Respondents no 5 to 7 have not contacted him further and he wants to withdraw his appearance. Permission granted to withdraw his appearance.</p> <p>3. Learned P.O submits that she has received para-wise comments in the matter and wants three week' time to file affidavit in reply.</p> <p>4. Respondents no 5 to 7 are directed to file affidavit in reply within three weeks and if reply is not filed, then the matter will proceed without reply.</p> <p>5. Learned counsel for the applicant states that Respondents no 5 & 6 have been given posting by order dated 28.9.2021, while Respondent no. 7 has been suspended and no promotion order has been issued in his favour. Learned counsel for the applicant produces copy of order dated 28.9.2021, wherein Respondents no 5 & 6 figure at Sr. Nos 16 & 17 in the said list.</p> <p>6. We make it clear that Respondents no 5 & 6, who are promoted and who are at serial No. 16 & 17 of the order dated 28.9.2021, their promotion will be subject to the outcome of the Original Application, pursuant to order dated 7.9.2021.</p> <p>7. S.O to 26.10.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left; font-size: small;">Akn</p>

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Date: 05.10.2021

M.A. No.109 of 2021 in M.A. No.585 of 2019 in
M.A. No.226 of 2019 in O.A. No.761 of 2018

M.G. KadamApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Applicant and his Advocate both are absent.
2. Smt. Archana B.K., learned Presenting Officer for the Respondents.
3. Perusal of record reveals that the Applicant and his Advocate both are continuously absent from last three / four dates. Thus it appears that they are not interested in the matter.
3. Hence proceedings are dismissed in default.
4. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member (J)

L.O. NMN

5. Learned Counsel for the Applicant appeared and requested to restore the M.A. stating that he was held up in traffic.
6. In the interest of justice, the order of dismissal in default is restored.

Sd/-

(A.P. Kurhekar)
Member(J)

[P.T.O.]

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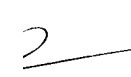
of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET 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><u>05.10.2021</u></p> <p><u>O.A 248/2021</u></p> <p>Shri Shyam Y. Mulgaonkar Heir and legal representative of the deceased Petitioner ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that legal heir of the deceased Government servant is in U.S and hence he is unable to attend the Tribunal and hence he requested for adjournment.</p> <p>3. S.O to 10.12.2021.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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


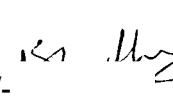
of 20

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>05.10.2021</u></p> <p align="center"><u>O.A 10/2021</u></p> <p>Shri Nilesh N. Ghode ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks two weeks' time.</p> <p>3. At the request of learned counsel for the applicant, adjourned to 26.10.2021.</p> <p align="center">Sd/-  Sd/- </p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

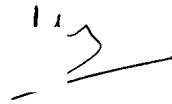
of 20

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 align="center"><u>05.10.2021</u></p> <p>M.A 374/2021 in T.A 1/2021 (W.P 4908/2021) with M.A 375/2021 in T.A 2/2021 (W.P 2612/2021)</p> <p>The State of Maharashtra & Ors ... Applicants (Ori Respondents)</p> <p align="center">Vs.</p> <p>S.T Shinde & Ors S.R Chandrakar & Anr ... Respondents (Ori Applicants)</p> <p>1. Heard Smt Kranti S. Gaikwad, learned P.O for the Applicants (Ori Respondents), Shri Ajay Deshpande, learned counsel for the Respondents 1 & 2 (Ori Applicants 1 & 2) and Shri B.S Shinde, learned advocate for the Respondents 4 to 9 in T.A 1/2021 and for Respondents 6 to 11 in T.A 2/2021.</p> <p>2. Mr Ajay Deshpande, learned counsel for Respondents No 1 & 2, (Ori Applicants 1 & 2) in T.A. 1/2021 submits that he will be filing affidavit in reply during the course of the day and he also submits that he will be filing affidavit in reply on behalf of Shri Avinash Deshmukh, learned counsel for the Respondents (Ori Applicants No 1 & 2) in T.A 2/2021.</p> <p>3. Learned counsel Shri B.S Shinde, for Respondents No 4 & 9 and 6 to 11 in T.A 1/2021 & T.A2/2021 states that M.A 384/2021 in T.A 1/2021 and M.A 379/2021 in T.A 2/2021 is filed and the same is kept on 7.10.2021. Learned counsel submits that copy of both the Misc Applications have already been served on the other side.</p> <p>4. Both M.A 384/2021 in T.A 1/2021 and M.A 379/2021 in T.A 2/2021 are suo moto taken on Board today.</p> <p>5. Learned counsel Mr Ajay Deshpande for the Original Applicants states that he will file affidavit in reply within two weeks.</p> <p>6. S.O to 22.10.2021. Parties to take note that the applications will be decided finally on that day.</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____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.689 of 2021</u></p> <p>A.S. GenganeApplicant Vs. The State of Maharashtra & Ors.Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 3 and Shri M.D. Lonkar, learned Advocate for Respondent No.4.</p> <p>2. Perused the short affidavit in reply dated 22.9.2021 filed on behalf of respondents no.1 to 3 by Shriram D. Yadav, Joint Secretary, Revenue & Forest Department, Mantralaya, Mumbai. This affidavit is in answer to the query made in para 5 of the order dated 8.9.2021 passed in the above OA.</p> <p>3. Short affidavit in reply to be filed answering the following queries:</p> <p>(a) Whether vacancies of 63 posts of Naib Tahsildar are to be filled by direct recruitment?</p> <p>(b) There is mention of the request given by the State to MPSC about filling up the post of Naib Tahsildar. How many posts?</p> <p>(c) Whether MPSC has given advertisement for filling up of these posts and what is the date?</p> <p>(d) When this process of recruitment of Naib Tahsildar for 63 posts by nomination will be completed?</p> <p>(e) Whether the mention of the vacancies of 63 posts in the letter dated 21.1.2020 written by</p>

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

Tribunal's orders

Additional Chief Secretary to Divisional Commissioner, Pune Division, Pune is incorrect statement?

4. While filing affidavit also to take into consideration the letter dated 16.4.2021 written by Dy. Secretary to the Divisional Commissioner, Pune for sending proposal for promotion to the post of Naib Tahsildar and the letter dated 27.8.2021 written by Section Officer to Divisional Commissioner, Pune.

5. Shri M.D. Lonkar, learned Advocate for Respondent No.4 submits that due to order of status quo dated 8.9.2021 passed in the above OA, the respondent no.4 could not be promoted, though there is order of promotion in his favour (Shri Utkarsh V. Deokule) by order dated 27.7.2021 passed in OA No.88 of 2021.

6. Smt. Punam Mahajan, learned Advocate for the applicant submits that applicant does not want to come in the way of respondent no.4 as respondent no.4 has rightful claim on the said post.

7. Considering the submissions of Shri M.D. Lonkar and the order dated 27.7.2021 passed in OA No.88 of 2021, we modify our order of status quo in para 5 of order dated 8.9.2021. It is to be reads as follows:

"5. In view of the above, we direct the respondents to maintain status quo upto the applicant."

8. There is no status quo against respondent no.4 who is required to be promoted as per order dated 27.7.2021 passed in OA No.88 of 2021.

9. Affidavit to be filed by 8.10.2021.

10. S.O. to 8.10.2021.

Sd/-

(Medha Gadgil)
Member (A)
5.10.2021

(sgd)

Sd/-

(Mridula R. Bharkar, J.)
Chairperson
5.10.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.10.2021</p> <p align="center">O.A.No.901/2019 with O.A.902/2019, O.A.1010/2019, O.A.1011/2019, O.A.137/2020, O.A.293/2020 with 09/2020</p> <p>Shri R. S. Palkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K.R. Jagdale and Smt. Punam, Mahajan, learned Counsels for the Applicants and Smt. Kranti Gaikwad learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. Shri Sugdare, learned Counsel for the Applicants is absent (O.A.901/19 to 1011/19 with 137/2020).</p> <p>2. All these Original Applications are filed challenging the recovery after retirement. In similar situation, this Tribunal has decided the said issue in O.A.238/2016 (M.A.Patil V/s State of Maharashtra & Ors.), decided on 25.06.2019. Review Application No.21/2019 is filed therein was dismissed on 08.02.2021. The Respondents filed W.P.No.3118/2021 before the Hon'ble High Court challenging the order passed by the Tribunal which came to be dismissed recently on 09.09.2021. As such, in view of this finality of the decision, all these Original Applications are required to be decided on similar line on its own merit.</p> <p>3. However, on previous date i.e. 24.09.2021, the matter was adjourned on request of learned P.O. that matter is under process at the level of Government for exploring possibility of filing S.L.P. Therefore, two weeks time was granted with specific direction that no further time will be granted.</p> <p align="right">[P.T.O.]</p>

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

Tribunal's orders

4. Today, when the matter was taken up for hearing in the morning session, on request of learned P.O., the matter was kept in the afternoon session for taking instructions from the Respondents.
5. However, in the afternoon session, when the matter was called, learned P.O. submits that C.P.O. is unwell.
6. In the morning session specific directions were given to learned P.O. to apprise the Tribunal about filing of S.L.P., if any and to keep the responsible officer from the Respondents present. However, none is present from the department.
7. The Applicants are retired long back, and therefore, all these Original Applications need to be decided expeditiously since the view taken by this Tribunal in similar situation is already confirmed by the Hon'ble High Court.
8. Obviously, the Respondents approach is too casual and indifferent. It is pointed by learned Counsel Shri Jagdale that his client is not getting provisional pension due to pendency of this O.A.
9. In view of above, it would be appropriate to hear the matter immediately.
10. All these Original Applications, therefore, be kept for final hearing on 07.10.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 05.10.2021</p> <p style="text-align: center;">O.A.No.753 of 2021</p> <p>R.K. BhosaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In this case the incident had occurred in the year 1999 to 2000. However,, the Respondent proposed the Departmental Enquiry (D.E.) on 24.06.2013 i.e. nearly after 12 to 13 years which is, the inordinate delay.</p> <p>3. The learned P.O. could not explain this delay for want of proper instructions from Respondent No.2. The charge-sheet was served on the Delinquent Officer (D.O.) on 20.04.2015. However the Enquiry Officer (E.O.) was appointed on 13.09.2019 i.e. after more than 4 years.</p> <p>4. The learned P.O. while explaining this delay of 4 years has submitted that the Respondent No.1 has called the relevant papers from the Respondent No.2 but those papers were not supplied within the time and therefore the E.O. was not appointed immediately. The learned P.O. submits that the applicant did not attend when called for enquiry and hence the 5 witnesses are examined ex-parte. The enquiry officer had asked the delinquent officer to give his arguments. The learned P.O. further submits that there are many enquiries pending and only one enquiry officer is appointed and hence physically it is not possible for the enquiry officer to finish the enquiry within the time of 6 months. She submits that she wants time to take instructions from the Respondents No.1 and 2 on the point of [P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>delay of nearly 12 years to initiate the enquiry and so also explanation for not appointing enquiry officer for more than 4 years.</p> <p>5. Be that as it may. We see that there is ex-facie unexplainable delay for initiation of enquiry and thereafter the appointment of enquiry Officer by the Respondents No.1 and 2 on this ground alone. we hereby stay the said enquiry till next date.</p> <p>6. In view of the inordinate delay and considering the essence of the limitation act we stay the enquiry.</p> <p>7. The learned P.O. to communicate this order to the Respondent No.1 and 3 & also place it before the Secretary, Social Justice & Special Assistant Department.</p> <p>8. We also direct the Respondent No.2 to disclose the name of the officer who has initiated the enquiry in the office of Respondent No.2</p> <p>9. For filing affidavit-in-reply adjourned to 26.10.2021.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>pk</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 : 05.10.2021</p> <p align="center">O.A.No.754 of 2021 with O.A.No.755 of 2021</p> <p>S.M. Nigave (O.A.754/2021) S.D. Dhumal (O.A.755/2021)...Applicants Vs. The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. These matters pertains to the issue of expiry of certain lists of the candidates in various examination conducted by the M.P.S.C., as the Rule regarding wait list lapses after one year from the date of its preparation. In the present case the wait list was available from 08.06.2019 to 18.07.2020 and some of the candidates in the wait list were given appointments. However though there are vacancies available and though the Government waited to full up 6 vacancies from Finance Department, the appointment orders of the applicants could not be issued being similarity situated persons.</p> <p>3. On account of nationwide lockdown due to COVID-19 pandemic situation which has caused in the midst of March, 2020 therefore the issue of giving equal treatment to the candidates similarly placed in the wait list was raised. Similarly, the issue was raised before the Hon'ble Supreme Court vide Appeal No.M.A.No.665/2021 in SMW(C) No.3 of 2020. By order dated 23.09.2021 the Hon'ble Supreme Court while taking cognizance for the explanation of the limitation in respect of lift of wait list the Hon'ble Supreme Court has given specific direction in paragraph 8,</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>"8 Therefore, we dispose of the M.A.No.665/2021 with the following directions :-</p> <p>I. In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 02.10.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2021, if any, shall become available with effect from 03.10.2021.</p> <p>II. In cases where the limitation would have expired during the period between 15.03.2020 till 02.10.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 03.10.2021. In the event the actual balance period of limitation remaining, with effect from 03.10.2021, is greater than 90 days, that longer period shall apply.</p> <p>III. The period from 15.03.2020 till 02.10.2021 shall also stand excluded in computing the periods prescribed under Sections 23 (4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings.</p> <p>IV. The Government of India shall amend the guidelines for containment zones, to state.</p> <p><i>"Regulated movement will be allowed for medical emergencies, provision of essential goods and services, and other necessary functions, such as, time bound applications, including for legal purposes, and educational and job-related requirements."</i></p> <p>4. For the purpose of ready reference as quoted above the concerned officers of the General Administration Department and Finance Department are directed that in view of the judgment of the Hon'ble Supreme Court this matter be treated as urgent. Decision should be taken well within time i.e. on or before 18.10.2021.</p> <p>5. Adjourned to 18.10.2021.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member(A) 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 : 05.10.2021</p> <p style="text-align: center;">O.A.No.520, 521 & 522 of 2020 With O.A.No.591 of 2020</p> <p>S.K. Harugade & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.S. Dere, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. In all these Original Applications, the Applicants are seeking deemed date of appointment and service benefits retrospectively. 3. In O.A.Nos.520, 521 & 522/2020, the Applicants were selected and nominated for the post of PSI by nomination in terms of Rule 3(c) of Police Sub Inspector (Recruitment) Rules, 1995. Their names were recommended by M.P.S.C. in 2006 and 2007 respectively but sent to training in Batch No.103/2010. 4. Whereas in O.A.No.591/2020, the Applicant was appeared in Limited Departmental Competitive Examination of Rule 3(b) of PSI (Recruitment) Rules, 1995 in Batch No.104/2007. However, since one criminal case was pending against him, he was not appointed nor sent for training. It is only after his acquittal in 2015, he was sent for training in Batch No.114. 5. The Applicants made representations for deemed date of appointment in the cadre of PSI with consequential service benefits with retrospective effect like seniority etc. As such, this is not a case of deemed date of promotion but these matters pertain to deemed date of appointment with consequential seniority which pertains to Division Bench. 6. The Registrar is, therefore, directed to examine the matters and place it before appropriate bench. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">O.A. No.531 of 2021</p> <p>P.S. KhatemateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent. It is taken on record. 3. On request of learned Advocate for the Applicant two weeks time is granted for filing Affidavit-in-Rejoinder. 4. S.O. to 21.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">O.A. No.530 of 2021</p> <p>K.B. UpaseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, 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 for filing Affidavit-in-Reply.</p> <p>3. S.O. to 21.10.2021.</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 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">O.A. No.467 of 2021</p> <p>A.A. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, 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. one week time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 13.10.2021.</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

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: 05.10.2021</p> <p align="center">O.A. No.807 of 2020</p> <p>J.R. GundApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.R. Deshpande, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply is under consideration and the same will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. Matter adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 25.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p 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>Date: 05.10.2021</p> <p>M.A. No.390 of 2021 in O.A. No.271 of 2021</p> <p>N.M. PoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed for amendment for challenging impugned communication dated 16.11.2019 which has been filed by the Respondents for the first time along with Affidavit-in-Reply. 3. O.A. was filed for direction to refund the amount of Rs.1,90,000/- (One Lakh Ninety Thousand Only) recovered from the Gratuity after retirement. 4. Learned Advocate for the Applicant submits that there was no notice or intimation to the Applicant and for the first time Respondents have placed on record communication dated 16.11.2021 stating that some of Rs.1,93,620/- (One Lakh Ninety Three Thousand Six Hundred and Twenty Only) is already recovered from Gratuity. He therefore sought to challenge the said communication in the O.A. 5. In view of above, allowed to amend O.A. since it would not change the nature of O.A. and proposed amendment is essential. 6. Amendment be carried out within a week. 7. Respondents are at liberty to file Additional Reply to the amendment. 8. S.O. to 22.10.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">M.A. No.385 of 2021 in O.A. No.574 of 2021</p> <p>S.B. KaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Asawari Ghatе, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for amendment of O.A. introducing some more ground to challenge in impugned order. Since, O.A. is at primarily state and the Applicant is raising legal ground to challenge the impugned order. It would be appropriate to allow proposed amendment so as to decide the O.A. on merit.</p> <p>3. In view of above, M.A. is allowed.</p> <p>4. Amendment be carried out within a week.</p> <p>5. Respondents to file Reply to the amendment by next date.</p> <p>6. S.O. to 26.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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 align="center">Date: 05.10.2021</p> <p align="center">M.A. No.229 of 2021 in O.A. No.545 of 2021</p> <p>S.N. TeleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.3 & 4 in M.A. It is taken on record. No separate Reply is filed on behalf of Respondent Nos.1 & 2.</p> <p>3. Adjourned for hearing on 21.10.2021.</p> <p 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: 05.10.2021</p> <p>O.A. No.680 of 2021</p> <p>S.K. RathodApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents. 2. Learned P.O. requested for grant of time to file Affidavit-in-Reply. 3. Whereas, Shri D.B. Khaire, learned Advocate for the Applicant submits that though the Tribunal has granted interim relief by detail order dated 07.09.2021, his client is not allowed to resume duty. 4. Tribunal by detail order dated 07.09.2021 has granted interim relief staying impugned transfer order dated 30.08.2021 and in view of it Respondents were bound to allow the Applicant to resume the post from which he was transferred. 5. Learned P.O. submits that she will take instructions as to why the Applicant is not allowed to resume his work. 6. Two weeks time is granted for filing Affidavit-in-Reply. 7. Respondents are directed to comply order dated 07.09.2021 failing which they would face appropriate action. 8. S.O. to 22.10.2021. <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

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;">Date: 05.10.2021</p> <p style="text-align: center;">O.A. No.707 of 2021</p> <p style="text-align: center;">S.K. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. submits that Affidavit-in-Reply is under consideration ^{preparation} and same will be filed during the course of the day. Statement is accepted. It be taken on record. 3. In so far as Respondent No.2 is concerned learned Advocate for the Applicant submits that he has refused to accept the notice. He is directed to file Affidavit along with endorsement of refusal. 4. Learned Advocate for the Applicant submits that he be allowed to file Rejoinder by next date. 5. S.O. to 13.10.2021. <p style="text-align: right; margin-right: 50px;">  Sd/- (A.P. Kurhekar) Member (J) </p> <p style="text-align: center; margin-top: 20px;">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">M.A. No.09 of 2021 in O.A. No.25 of 2021 with M.A. No.10 of 2021 in O.A. No.26 of 2021</p> <p>W.B. Pawar S.A. BachhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Advocate both are absent. 2. Smt. K.S. Gaikwad, learned P.O. for the Respondent is present. 3. Shri C.T. Chandratre, learned Advocate for the Applicant has sent his leave note. 4. In view of leave note adjourned to 18.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">O.A. No.589 of 2021</p> <p>G.R. WaghmodeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, 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 for filing Affidavit-in-Reply.</p> <p>3. S.O. to 22.10.2021.</p> <p align="right">Sd/- w (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 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">M.A. No.394 of 2021 in O.A. No.952 of 2019</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus N.P. Swami (Org. Appl.)Resps.</p> <p>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Applicants (Org. Respondents) and None for the Respondent (Org. Applicant).</p> <p>2. This M.A. is filed for extension of time for compliance of order dated 30.07.2021 delivered in O.A. No.952/2019. Since learned Advocate for Respondent (Org. Applicant) is absent, M.A. be kept on 11.10.2021 on which date other matter of the learned Advocate for the Respondent (Org. Applicant) are listed for hearing.</p> <p>3. S.O. to 11.10.2021.</p> <p align="right">Sd/- v (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____

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 : 05.10.2021</p> <p align="center">O.A.No.622 of 2020 With O.A.623 of 2020</p> <p>M. R. Ahire & Anr.Applicants</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. Shri C.T. Chandratre, learned Counsel for the Applicant is on leave note.</p> <p>3. In view of leave note of learned Counsel, the matter is adjourned for hearing.</p> <p>4. S.O. to 12.10.2021.</p> <p align="right"> N Sd/- v (A.P. Kurhekar) Member(J) </p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 05.10.2021</p> <p align="center">O.A.No.827 of 2019</p> <p>S.R. Shaikh ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. Shri C.T. Chandratre, learned Counsel for the Applicant is on leave note.</p> <p>3. In view of leave note of learned Counsel, the matter is adjourned for hearing.</p> <p>4. S.O. to 13.10.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 05.10.2021</p> <p align="center">O.A. No.676 of 2021 with M.A. No.330 of 2021</p> <p>S.B. Patil & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant short time is granted to satisfy the Tribunal how O.A is maintainable in absence of representation as contemplated in terms of Section 20 of Administrative Tribunal Act, 1985.</p> <p>3. Adjourned to 14.10.2021.</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

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: 05.10.2021</p> <p style="text-align: center;">M.A. No.386 of 2021 in O.A. No.582 of 2021</p> <p>R.S. BhasagiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. Asawari Ghatе, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M.A. is filed for amendment of O.A. to add one more ground to challenge impugned order as well as to join Respondent No.5 who is transferred in place of the Applicant. 3. Since, Respondent No.5 is likely to be affected as he is necessary party. 4. By way of amendment the Applicant wants to add one more legal ground to challenge impugned order. It being legal ground, I am inclined to allow the amendment to O.A. 5. In view of above, M.A. is allowed and amendment be carried out within a week. 6. In view of addition of Respondent No.5, issue notice to him before admission returnable on 26.10.2021. 7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. <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. 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.</p> <p>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.</p> <p>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. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. 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.</p> <p>12. Respondents are at liberty to file Reply to the amended O.A.</p> <p>13. S.O. to 26.10.2021.</p> <p style="text-align: right;">Sd/- v. (A.P. Kurhekar) Member (J)</p> <p>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: 05.10.2021</p> <p>M.A. No.404 of 2021 in O.A. No.561 of 2021</p> <p>K.A. SalunkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Mandlik, learned Advocate holding for Shri A.R. Deshpande, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for restoration, it has been dismissed in default for non filing of Affidavit in service, three days before returnable date.</p> <p>3. Learned Advocate for the Applicants submits that he has not filed Affidavit in terms of order passed by this Tribunal i.e. within three days before returnable date, and therefore, O.A. is dismissed in default. He prayed for restoration of O.A.</p> <p>4. Affidavit of service seems to have filed late. In the interest of justice M.A. is allowed and O.A. No.561/2021 is restored to file.</p> <p>5. In so far as Respondent Nos.1, 2, 3 are concerned there are represented by learned P.O. and should file Affidavit-in-Reply on next date.</p> <p>6. Whereas, Respondent No.4 is private Respondent and there is no acknowledgment of service upon her, hence issue fresh notice of O.A. to Respondent No.4.</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>7. Issue fresh notice to Respondent No.4 before admission returnable on 29.10.2021.</p> <p>8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>9. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>11. 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>12. 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.</p> <p>13. S.O. to 29.10.2021.</p> <p style="text-align: right;">\n Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>