

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 06.09.2022
	<p align="center">C.A.No.41 of 2021 in O.A.No.1052 of 2016 with M.A.No.700 of 2019 in R.A.No.23 of 2019 in O.A.No.1052 of 2016 with in R.A.No.23 of 2019 in O.A.No.1052 of 2016</p> <p>V.S. Patil V.S. KalekarApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Writ Petition No.6915/2021 is pending before the Hon'ble High Court and is part heard.</p> <p>3. In view of above, adjourned to 18.10.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 06.09.2022</p> <p>C.A.No.16 of 2018 in O.A.No.670 of 2016</p> <p>Dr. C.G. GaikwadApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that the issue is before the Commission.</p> <p>3. On query learned C.P.O. informs that these are the Members of the Commission who are considering the matter.</p> <p style="padding-left: 40px;">Chairman : Mr. Kishor Raje Nimbalkar Members : Mr. Pratap Digaonkar Mr. Rajeev R. Jadhav Dr. Devanand Shinde,</p> <p>4. Mr. D.S. Urade, Under Secretary, M.P.S.C and Mr. Govind Bhise, Section Officer, Public Health Department, Mantralaya are present</p> <p>5. Officer from the office of Public Health Department to remain present. As the matter is pending before M.P.S.C. since July, 2022 adjourned to 07.09.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> <p style="text-align: right;">[P.T.O.]</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>Date : 06.09.2022 Tribunal's orders C.A.No.59 of 2022 in O.A.No.521 of 2022</p>
	<p>D.K. DokeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. If Contempt is filed without notice it is not maintainable.</p> <p>3. C.A. is disposed of because without notice C.A. is not maintainable.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s


(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 06.09.2022</p> <p align="center">C.A.No.42 of 2022 in O.A.No.986 of 2021</p> <p>U.V. More Applicant Vs. The State of Maharashtra & Ors. Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that order dated 23.02.2022 passed by this Tribunal in O.A.No.986/2021 is complied with.</p> <p>3. In view that nothing remains, C.A. stands disposed of.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 06.09.2022</p> <p align="center">C.A.No.52 of 2021 in O.A.No.488 of 2020</p> <p>V.N. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the order dated 29.10.2020 passed by this Tribunal is still pending.</p> <p>3. The order dated 29.10.2020 is not challenged before the Hon'ble High Court. No extension of time was prayed by the Respondents. Last chance granted to comply the order of this Tribunal. If not complied by next date contempt notice will be issued on the same day without further time.</p> <p>4. Adjourned to 04.10.2022.</p> <p align="center">Sd/- * Sd/- </p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.As. No.930, 931 & 932 of 2017</u></p> <p>S.V. Chavan G.R. Sonawane N.D. Bari ..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. Applicants and their advocate are absent.</p> <p>3. Ld. CPO submits that the orders of reversion are challenged. She points out order dated 27.9.2017 passed by the PWD and also the judgment and order dated 28.7.2017 passed by the Hon'ble High Court, Bench at Nagpur in W.P. No.741 of 2015 (State of Maharashtra & Ors. Vs. Ravikant A. Gedam & Ors.). Ld. CPO submits that, after going through the orders and perusal of the matters, nothing remains in these matters.</p> <p>4. Though the matters appeared under the caption of 'For Dismissal' since last date, for want of non-prosecution all the above OAs are dismissed.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 6.9.2022 6.9.2022 (sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>06.09.2022</u></p> <p style="text-align: center;"><u>O.A 714/2022</u></p> <p>Shri P.H Bibe & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.S Kadam, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. In this Original Application, four applicants who are aspiring to be Multipurpose Health Workers in Public Health Department have prayed that the Respondents be directed to issue the Verification Certificate to the applicants in for appointment to the post Multipurpose Health Workers and they be appointed accordingly.</p> <p>3. Pursuant to the order dated 29.8.2022, wherein it was recorded that the Department found that three applicants are ineligible for appointment for want of valid Certificate of 90 days. Learned P.O was asked to produce the Verification Certificate of Mr Hari B. Khedkar. Today report of Mr Hari B. Khedkar is produced wherein he is held ineligible. Same is taken on record and marked as Exh. A-1.</p> <p>4. Learned counsel for the applicants submit that in view of the report submitted by the Respondents, the applicants want to withdraw the Original Application with liberty to file fresh Original Application.</p> <p>5. Original Application is allowed to be withdrawn with liberty to file fresh Original Application.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">Akri</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>06.09.2022</u></p> <p align="center"><u>O.A 315, 316 and 317/2022</u></p> <p>V.B Suryavanshi S.B Patil A.S Shinde ... Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file affidavit in reply. Three weeks' time is granted to the Respondents to file affidavit in reply by way of last chance.</p> <p>3. S.O to 27.9.2022.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) ✓ Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>06.09.2022</u></p> <p><u>O.A 361, 362, 505, 506/2022 with O.A 108, 109, 468 and 469/2020</u></p> <p>L.K Shinde & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Pooja Mankoji holding for Shri S.S Dere, learned advocate for the applicants and Ms Swati Mancherkar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O seeks time to file reply. Time granted.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O to 13.9.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>06.09.2022</u></p> <p><u>M.A 506/2022 in O.A 213/2018 with M.A 505/2022 in O.A 214/2018</u></p> <p>Anuja Ashok Walvekar Ms Vrinda S. Suryawanshi ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.S Pawar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant points out that M.A 505/2022 in O.A 214/2018 is not shown on Board and requested that the same should be taken on Board. Hence M.A 505/2022 in O.A 214/2018 is taken on Board.</p> <p>3. Both the Misc Applications have been filed seeking to amend the prayer clause as per Schedule 'A'. Learned counsel for the applicant submits that the amendment is pursuant to the same cause of action and it is within limitation. However, it remained to be mentioned.</p> <p>4. Learned P.O submits to the orders of the Court.</p> <p>5. Both the Misc Application seeking amendment to the Original Application is allowed. Learned counsel for the applicant is directed to amend the Original Applications within one week and serve the amended copy of the Original Applications on the other side.</p> <p>6. If short affidavit in reply is required to be filed, Respondents are directed to file the same.</p> <p>7. Both the O.As 213/2018 & 214/2018 to be placed on Board on 4.10.2022.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 06.09.2022</p> <p>O.A.No.803 of 2022</p> <p>Rajya Sahakri Gr. D. Employees Madhyavarti Mahasangh, KolhapurApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to 23.09.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO.900 OF 2022

DISTRICT : PUNE

Dr. Vanita V. Myakal)...**Applicant**

Versus

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

Mr. Shashank Shubham, learned Advocate holding for Mr. Anoop U. Patil, learned Advocate for the Applicant.

Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Mrs Medha Gadgil (Member) (A)

DATE : **06.09.2022**

PER : **Justice Mridula Bhatkar (Chairperson)**

ORDER

1. The Applicant working as Assistant Professor including (Community Medicine/Preventive and Social Medicine) for Maharashtra Medical Education and Research service, Group-B has applied for the post of Assistant Professor (Preventive and Social Medicine) is held ineligible for the interview on the ground that she does not possess experience of one year working on the post of Senior Resident in the Government Hospital.

2. Learned Advocate produces certificate dated 30.08.2021 issued by the Dean, Government Medical College, Baramati, Dist. Pune that she has worked as Assistant Professor in the

W

Department of Community Medicine at Government Medical College, Baramati since 23.07.2019 on contract basis as per the below table.

From 23.07.2019 to 20.07.2020 for 364 days
22.07.2020 to 18.11.2020 for 120 days
20.11.2020 to 19.03.2021 for 120 days
22.03.2021 to 19.07.2021 for 120 days
22.07.2021 till date i.e. for 43 days.

3. Learned Advocate also pointed the experience certificate dated 25.11.2019 issued by the Dean, Swami Ramanand Teerth, Rural Medical College, Ambajogai where she had worked for three years from May 2016 to May 2019 as Junior Resident. Learned Advocate further relies on the Notification of National Medical Commission wherein at Part III-Section 4 in the Department of Community Medicine, the hierarchy is mentioned as follows:-

Professor
Associate Professor
Assistant Professor
Statistician (Tutor/Assistant Professor)
Tutor/ Demonstrator/ Senior Resident

Hence, learned Advocate submits that the applicant is eligible.

4. Learned P.O. opposes the application on the ground that the applicant does not have experience of Senior Resident and therefore objection taken by the M.P.S.C. is justifiable.

5. Earlier similar matter was decided for grant of interim relief by order dated 05.09.2022 in O.A.No.882/2022. We have granted interim relief in the said O.A. In this matter also prima facie, we find the applicant has worked as Assistant Professor.

6. Learned Advocate points out relevant clause of working out deficiency in the cadre. Considered submissions of learned Advocate. Relevant Clause of working out deficiency is reproduced as follows :

“Any excess teaching faculty in higher cadre can compensate the deficiency of lower cadre of the same department only.”

7. The Applicant could not approach yesterday because she is having 9 months old daughter who is unwell, so also considering the educational qualification and the experience of the applicant, she is found eligible.

8. Under the circumstances, we direct the M.P.S.C to allow the applicant to appear for the interview tomorrow i.e. 07.09.2022 between 11.00 a.m. to 2.00 p.m. However, the same will be subject to the outcome of this Original Application.

9. The office objections, if any, are to be removed and court fees to be paid, if not already paid.

10. Issue notice before admission returnable on 03.10.2022.

11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

12. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

13. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

14. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the Original/Miscellaneous Application shall be placed on board before the concerned Benches under the caption **'for Dismissal'** and thereafter on the subsequent date the Original/Miscellaneous Applications shall stand dismissed."

15. S.O to 03.10.2022. Hamdast.

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 06.09.2022</p> <p>O.A.No.892 of 2022</p> <p>S.M. JadhavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant challenges final seniority list dated 02.03.2022 and further promotion orders issued on 30.08.2022 qua Respondent No.3.</p> <p>3. Learned C.P.O. seeks time to get information in this case.</p> <p>4. Adjourned to 08.09.2022. Status qua to be maintained only till 08.09.2022. Hamdast.</p> <p style="text-align: right;">Sd/-</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.891 of 2022</u></p> <p>K.S.A.H. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.B. Talekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Ld. Advocate submits that the applicant challenges seniority list dated 1.1.2022 published vide circular dated 13.7.2022. The applicant was appointed as by order dated 31.3.1995 as Junior Engineer under Earthquake Rehabilitation Programme on contract basis in order to meet the exigencies. His services were regularized by GR dated 14.7.1998. However, in the seniority list dated 1.1.2022 his juniors are shown above him. Ld. Advocate points out some instances on the basis of communication from Government dated 14.12.2021. So also by letter dated 12.8.2022 the seniority of Junior Engineers, who were appointed under the scheme is to be reconsidered and rectified. Ld. Advocate submits that preferences are called from 45 candidates by letter dated 29.8.2022 and 29 out of 45 candidates are junior and they are going to be promoted and therefore he prays for interim relief.</p> <p>3. This OA is filed on 5.9.2022 and we are of the view that some time is required to be given to the State to get instructions and whether earlier representation of the applicant was considered by the respondents. Hence, time is required to be granted as per letter dated 12.8.2022. It appears that the department is getting some information with a view to correct the provisional seniority list.</p> <p>4. Hence, we keep this matter on 13.9.2022 for taking instructions. <u>In case of granting promotions, we direct the Respondent-State to keep one post vacant of Deputy Engineer till filing of the reply.</u></p> <p align="center">✓</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 13.9.2022. The respondents are directed to file reply.</p> <p>7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. 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>10. 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/-</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 6.9.2022 6.9.2022</p> <p>(sgj)</p>