

**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

Date : 06.10.2023

M. A. No.630 of 2023 in O.A.No.1261 of 2023

V. H. Shipkule & Ors.Applicants

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. This is an application for leave to file joint Original Application.

3. Learned Advocate submits that the Applicant No.2 and 3 are from Amravati and Buldhana which covered under the jurisdiction of M.A.T. Bench at Nagpur. However, common cause of action arose along with Applicant No.1 who is Resident of Pune.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.

4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.

5. M. A. No.630 /2023 is allowed. No order as to costs.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No.

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..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p><u>06.10.2023</u></p> <p><u>C.A 49/2020 in O.A 822/2019 with C.A 50/2020 in O.A 832/2019 with C.A 51/2020 in O.A 824/2019 with C.A 52/2020 in O.A 825/2019 with C.A 53/2020 in O.A 826/2019 with C.A 43/2021 in O.A 400/2019 with C.A 44/2021 in O.A 821/2019</u></p> <p>Dr G.P Jangid & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri J.S Deshmukh, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that in all these matters the Cabinet has taken decision on 16.9.2023, pursuant to the order of this Tribunal and the Hon'ble High Court. As the decision is taken to implement the order of the Tribunal and the Hon'ble High Court, time is granted till 1.11.2023 to issue the G.R.</p> <p>3. In view of the above, nothing remains in the Contempt Application and the same stands disposed of.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>C.A 50/2023 in O.A 709/2022</u></p> <p>V.J Sonavane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The departmental enquiry is adjourned by two weeks.</p> <p>3. S.O to 20.10.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 620/2019</u></p> <p>S.C Bachhav ... 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 with liberty to file rejoinder, if any.</p> <p>3. Place for final hearing on 20.11.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 164/2023</u></p> <p>Shri M.P Bagul ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Purva Pradhan holding for Shri D.B Khaire, learned counsel for the applicant, Smt K.S Gaikwad, learned P.O for the Respondents No 1 & 2 and Shri Kunal Tilak, learned counsel for Respondent no. 3.</p> <p>2. Admit with liberty to file rejoinder, if any.</p> <p>3. Place for final hearing on 27.10.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 565/2023</u></p> <p>Shri P.B Sakate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms A. Chaware, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit with liberty to file rejoinder, if any.</p> <p>3. Place for final hearing on 20.10.2023.</p> <p>(Medha Gadgil) Member (A) Akn</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 675/2023</u></p> <p>Shri P.V Mangure ... 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 with liberty to file rejoinder, if any.</p> <p>3. Place for final hearing on 27.10.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 709/2023</u></p> <p>Smt Vidya D. Hunchikatti ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Pursuant to the order of the Tribunal dated 23.6.2023, learned counsel submits that the applicant is promoted as Senior Clerk by order dated 29.8.2023. Learned counsel submits that now by way of prayer clause 10(b) applicant prays Respondents be directed to grant deemed date of promotion to the post of Head Clerk as on 30.5.2023 when her juniors were promoted.</p> <p>3. Learned C.P.O states that she needs time to take instructions.</p> <p>4. We direct the learned C.P.O to produce the minutes of the D.P.C meeting dated 30.5.2023, to find out why the applicant was not considered along with her juniors.</p> <p>5. S.O to 19.10.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 762/2023</u></p> <p>V.H Bharti & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Interim relief to continue until further orders.</p> <p>3. S.O to 27.10.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Aktu</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 795/2023</u></p> <p>Dr V.V Waghmode & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri J.S Deshmukh, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submits that the issue of payment of Non-Practicing Allowance to In-service P.G candidates is involved in this Original Application.</p> <p>3. Learned counsel submitted that the similar issue was decided by the Aurangabad Bench of the Tribunal by order dated 1.3.2023 in O.A 1/2015, Dr Balaji G. Phalke & Ors Vs. The State of Maharashtra & Ors.</p> <p>4. Learned C.P.O is directed to verify whether the issue is res-integra.</p> <p>5. S.O to 1.11.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 713/2023</u></p> <p>Shri K.D Khandare & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.N Rajpurohit, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit with liberty to file rejoinder, if any.</p> <p>3. Place for final hearing on 17.10.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 927/2023</u></p> <p>Shri M.J Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that reply will be filed during the course of the day.</p> <p>3. Learned counsel for the applicant is granted time to file rejoinder.</p> <p>4. S.O to 20.10.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>06.10.2023</u></p> <p style="text-align: center;"><u>O.A 932/2023</u></p> <p>Dr B.P Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri J.S Deshmukh, 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 issue regarding extension of age of retirement of the applicant is already decided by this Tribunal by order dated 31.8.2023 in O.A 623/2023 & Ors, Dr Vijay N. Dekate & Ors Vs. The State of Maharashtra & Ors.</p> <p>3. In view of the above, nothing remains in the Original Application and the same stands disposed of.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>05.10.2023</u></p> <p><u>O.A 1085/2023</u></p> <p>Dr K.A Yadav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri J.S Deshmukh, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents</p> <p>2. Learned C.P.O seeks time to file reply.</p> <p>3. S.O to 1.11.2023. Interim relief to continue.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>06.10.2023</u></p> <p><u>O.A 121/2023</u></p> <p>Dr P.N Kamble ... 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 Respondent no. 1 and none for Respondent no. 2.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 30.10.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram,
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Date : 06.10.2023

O.A.No.1214 of 2023

M. S. Masane

....Applicants

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned C.P.O. on instructions informs that Applicant seeks relief that State Government- Respondent No.1 hear and decide 'Statutory Appeal' dated 02.05.2019 filed by him against the order of 'Summary Dismissal' dated 27.11.2017 passed by the Commissioner of Police, Navi Mumbai.
3. Learned C.P.O. submits that as per her information there is no such provision of 'Statutory Appeal' when the order of 'Summary Dismissal' has been passed under Article 311 (2)(b) of the Constitution of India. However, if the 'Minister of State' of Home Department or the 'Additional Chief Secretary of Home Department' has been designated as 'Competent Authority' to decide such 'Statutory Appeals' then also 'Notification' of the Home Department will have to be referred to before directions can be given regarding hearing of the 'Statutory Appeal'. Therefore, at this stage, it is not possible to make any specific statement as to by when the 'Statutory Appeal' can be heard by designated 'Competent Authority' of the Home Department.
4. Under such circumstances, no order can be passed. Hence, O.A. is dismissed with no order as to costs.

Sd/-

Sd/-

(Debashish Chakrabarty)
Member (A)

✓ (Mridula Bhatkar, J.)
Chairperson

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	<p>Date: 06.10.2023</p> <p align="center">O.A. No.1255 of 2023</p> <p>B.A. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that the Applicant who was working on the post of District Health Officer, Zilla Parishad, Pune was appointed on 'Deputation Post' of Health Officer, Pune Municipal Corporation (PMC) by Urban Development Department Government Order dated 10.03.2023 on the basis of recommendations received from the Public Health Department by letter dated 02.03.2023 which had been issued with prior approval of the "Competent Authority".</p> <p>3. Learned Advocate for the Applicant states that Public Health Department by Government Order dated 05.09.2023 posted the Applicant to the Vacant Post of Assistant Director, Health Services, (Blindness Control Programme), Mumbai. Learned Advocate for the Applicant sought to emphasize that it was a conscious decision of the Competent Authority of the Public Health Department taken earlier on 02.03.2023 to spare the services of the Applicant for appointment to the Vacant Post of Health Officer, Pune Municipal Corporation for such period of time as may be required for a regular Health Officer, Pune Municipal Corporation to take over subsequent to promotion or for period of Two Years whichever is earlier. She further states that as per information available, the Municipal Commissioner, Pune Municipal Corporation has still not appointed any officer after promotion to the Vacant Post of Health Officer, Pune Municipal Corporation (PMC).</p>

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	<p>4. Learned P.O. submits that due procedure has been followed to recall the Applicant from the post of Health Officer of Pune Municipal Corporation (PMC) in exercise of the powers vested with the Public Health Department as per Terms & Condition 2(a) of the UDD Order dated 10.03.2023 based on fact that the post of Assistant Director, Health Services, (Blindness Control Programme), Mumbai was a Vacant Post since 11.08.2023 in the Head Office of 'Director of Health Service, Mumbai.</p> <p>5. The Urban Development Department Government Order dated 10.03.2023 reveals that the Applicant was sent on deputation to the Vacant Post of Health Officer, Pune Municipal Corporation only after conscious decision taken by the Competent Authority of the Public Health Department on 02.03.2023 to make Applicants services available till an officer was available on promotion to fill the Vacant Post of Health Officer, Pune Municipal Corporation and even to allow Applicant to work on the post of Health Officer, Pune Municipal Corporation for period of upto Two Years. The Government Order of the Urban Development Department dated 10.03.2023 also indicates that the decision was to make available Applicant's services on the Deputation Post for upto Two Years subject to provisions of Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981. However, the Competent Authority of Public Health Department without recording grounds relating to Public Interest as was expected to be done as per Terms and Conditions No.2(a) of the Urban Development Department Order dated 10.03.2023 decided suddenly to recall the Applicant and issued Transfer Order on 05.09.2023 in order to fill the Vacant Post of Assistant Director, Health Services, (Blindness Control Programme), Mumbai. The same 'Competent Authority' who had earlier taken conscious decision to recommend that the services of the Applicant could be spared for upto Two Years and accordingly allowed the Applicant to join on the Deputation Post of Health Officer, Pune Municipal Corporation on 02.03.2023 now without any whisper of justifiable reasons based on any stated 'Public Interest' has issued Transfer Order on 05.09.2023 not following the procedure under G.A.D.</p>

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	<p>G.R. dated 16.02.2018 and observing provisions of Rule 40 of Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981. Such decisions taken by 'Competent Authorities' leave much to be desired about the imperative to promote transparency and obliterate arbitrariness in decision which are taken under the provisions of the 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. Therefore, in the context of facts and circumstances of the case, at this stage the 'Balance of Convenience' lies in favour of the Applicant. Further, from the relieving order of the Applicant issued on 06.09.2023, it is evident that the 'Additional Charge' of the Health Officer, Pune Municipal Corporation has been given to the Deputy Health Officer, Pune Municipal Corporation which indicates that the post of Health Officer of PMC is at present vacant. Hence, 'Interim Relief' as prayed for is granted to the Applicant till 'Next Date' and Applicant is accordingly permitted to join back on the post of Health Officer, Pune Municipal Corporation (PMC).</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 20.10.2023.</p> <p>8. 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>

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

10. 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.

11. 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.

12. S.O. to 20.10.2023.

Sd/-
(~~Debashish Chakrabarty~~)
Member (A)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 06.10.2023
	<p style="text-align: center;">O.A.No.1260 of 2023</p> <p>P. S. DeshpandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. R. Joshi, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this O.A., the Applicant seeks order against Respondent No.1, thereby challenging the punishment order dated 01.11.2021.</p> <p>3. The Applicant seeks leave to amend the title clause of Respondent No.1.</p> <p>4. Amendment is allowed. In the meantime, amendment be carried out.</p> <p>5. S.O. to 20.10.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

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

of 20

IN

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	Date : 06.10.2023 Tribunal's orders O.A.No.1268 of 2023
	<p>D. A. Ghumre & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms T. D. Goswami, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pursuant to the order dated 05.10.2023 passed by this Tribunal, Shri Mandar Kulkarni, Tahsildar, Chandwad, District Nashik has filed short Affidavit in Reply on 06.10.2023 in respect of Exhibit 'F' (Page 38) i.e. declaring reservation of Police Patil as per Population Data certified by Gram Panchayat Members based on 'Census 2011' and Local Enquiry. The relevant paras and portion of the said short Affidavit in Reply is as under :-</p> <p align="center">"I say and submit that the document annexed by the Applicant at page 38 as Exhibit 'F' was prepared on the basis of information gathered by local staff, such as, Village Talathi, Village Gram Sevak and other local citizen of the said village. It was assumed by me that the information given by them was proper and cored and based on the census date. However, the Committee did not take into consideration the census date. I tender my unconditional apology for accepting the report given by the Local Committee without verifying it with the census data and same may be taken on record.</p> <p align="center">I further say that the village population information at Exhibit 'E', page 36 is correct and as per census report."</p> <p>3. As per the order dated 25.06.2007 passed by the Hon'ble High Court in W.P. No.4175/2007 and W.P. No.4202/2007, the Home Department G.R. dated 16.10.2008 was issued giving guidelines for providing reservation to different categories for the post of Police Patil which is to be based on 'Census Data' and Percentage of Population of a particular Backward Class.</p>

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
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4. In Advertisement No.01/2023, dated 25.09.2023 at Sr. No.7, the Vacant Post of 'Police Patil' of village Nimbale, Tehsil Chandwad, District Nashik is shown reserved for Scheduled Caste (SC). This reservation is provided considering the 'Population Data' certified by Gram Panchayat Members and also Shri Mandar Kulkarni, Tahsildar, Chandwad, District Nashik on 25.09.2023 i.e. Exhibit 'F' (Page 38). However, the 'Certificate (दाखला) of 'Census of 2011' issued by Shri Mandar Kulkarni, Tahsildar, Chandwad, District Nashik on 27.09.2023 Exhibit 'E' (Page 36) should have been considered while providing the reservation for Scheduled Caste (SC) for the Vacant Post of 'Police Patil' of village Nimbale, Tehsil Chandwad, District Nashik as per the Affidavit in Reply dated 06.10.2023 and guidelines in Home Department G.R. dated 16.10.2008.

5. Hence, we are of the view that reservation provided for Scheduled Caste (SC) in respect of Village Nimbale, Tehsil Chandwad, District Nashik for the Vacant Post of 'Police Patil' is not based on factual data of 'Census 2011' disclosing correct 'Percentage of Population' belonging to Scheduled Caste (SC). In view of above, Advertisement No.01/2023, dated 25.09.2023 issued by the Respondent No.3 is quashed and set aside qua Village Nimbale, Tehsil Chandwad, District Nashik.

6. We also came across an interesting fact while comparing contents of Exhibit 'F' (Page 38) which is prepared on 25.09.2023, on the basis of Population from 'Census 2011' and based on 'Local Enquiry' and Exhibit 'E' (Page 36) which is prepared on 27.09.2023 as per population only from 'Census of 2011'. Total Population of Village Nimbale, Tehsil Chandwad, District Nashik remains identical at 1999, however, population of Scheduled Caste (SC) is shown to have doubled from 144 to 288 while that of Scheduled Tribe (ST) is shown doubled from 253 to 506.

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	<p>The Respondents are directed to take note of it as these are serious contraventions of guidelines in Home Department G.R. dated 16.10.2008.</p> <p>7. Accordingly, Original Application is allowed with no order as to costs.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 06.10.2023

O.A.No.1261 of 2023

V. H. Shipkule & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In present Original Application, all the applicants seek directions against the Respondent No.1 and 2 to consider Applicants' case for being appointed to the post of 'Assistant Public Prosecutor' against unfilled post which are earmarked for handicapped candidates in a particular category.

3. Learned Advocate for the Applicants submits that Applicants have applied and participated in the recruitment process of Assistant Public Prosecutor which was initiated by issuing Advertisement No.01/22, dated 07.01.2022 by M.P.S.C. All the candidates have cleared the written examination and also appeared for the interview.

4. Learned Advocate for the Applicants submits that

(i) All the Applicants have applied under category of 'Locomotor Disability'.

(ii) Exhibit 'C' discloses requisite educational qualification and experience for the post of 'Assistant Prosecutor' under various categories.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>(iii) In the said Advertisement, total 547 posts were advertised. Out of said 547 posts, 22 posts were reserved for candidates with disabilities mentioned in the said Advertisement.</p> <p>(iv) The Applicants have applied under the category of 'Locomotor Disability'.</p> <p>5. Learned Advocate for the Applicants submits that on 10.08.2023, the Respondent No.2 has declared final result. Thereafter, on 11.08.2023, the Respondent No.2 published the list of candidates who were held to be eligible for being recommended. In which, Applicants did not figure their names in the said list. On the same day, Respondent No.2 issued a corrigendum wherein it has been mentioned that total 11 candidates from Deaf/Hard Hearing, Autism/Intellectual disability categories were not available and therefore recommendations for the said posts could not have made. Thus, it is clear that 11 posts of 'Assistant Public Prosecutor' meant for handicapped candidates remained unfilled.</p> <p>6. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 27.10.2023.</p> <p>8. 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>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>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p>10. 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>11. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>12. S.O. to 27.10.2023.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 06.10.2023 Tribunal's orders</p>
	<p align="center">O.A.No.1269 of 2023 With O.A. No.1270 of 2023</p> <p>V. K. Mengal S. K. BhadangeApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri L. S. Deshmukh, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. In present Original Applications, both the Applicants are from Tribal Development Department working as 'Primary Teacher'. They challenged the order dated 08.09.2023 issued by Respondent No.2- Additional Tribal Development Commissioner, Thane thereby terminating both of them without conducting enquiry. 3. Learned Counsel for the Applicants submits that Applicants have worked as 'Shikshan Sevak' for three years. Thereafter, as a 'Primary Teacher' for one year. 4. The Applicant in O.A. No.1269/2023 appointed on 08.08.2019 and the Applicant in O.A.No.1270/2023 appointed on 05.02.2020. Learned Counsel for the Applicants submits that the reasons for termination was given that there was miscalculation and they do not have requisite experience for getting additional marks at working in the same school on daily wages or contract basis. 5. In the meantime, learned C.P.O. is directed to file short Affidavit by the concerned department.

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directions and Registrar's orders

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

7. Issue notice before admission returnable on 27.10.2023.

8. 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.

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

10. 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.

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

12. S.O. to 27.10.2023.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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: 06.10.2023</p> <p style="text-align: center;">O.A. No.1036 of 2023</p> <p>K.B. KaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant One Week time is granted to file 'Affidavit-in-Rejoinder'.</p> <p>3. S.O. to 13.10.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>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
	<p>Date: 06.10.2023</p> <p align="center">O.A. No.942 of 2023</p> <p>R.V. Shinde & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that Under Secretary, Revenue & Forest Department has remained present with relevant 'File Noting's'. However, it will take some time to arrive at the correct figures of 'Vacant Post' of Deputy Collector as on 20.04.2023 and reconcile information available with 'Revenue and Forest Department' with information provided under 'The Right to Information Act, 2005' by the office of (i) Divisional Commissioner, Konkan Division on 11.05.2023 and (ii) Divisional Commissioner, Pune Division on 16.02.2023 shows significantly higher number of 'Vacant Posts' of Deputy Collectors as on the 'Date of Issue of 'Promotion Order' on 20.04.2023. Learned P.O. is therefore given time till 16.10.2023.</p> <p>3. 'Interim Relief', to continue till next date.</p> <p>4. S.O. to 16.10.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p> <p align="right">[P.T.O.]</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: 06.10.2023</p> <p align="center">O.A. No.466 of 2023</p> <p>S.A. RawadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'One Week' time to take instruction as to whether the 'Respondents' are now willing to let him continue on the post of 'Tahsildar Karveer, Kolhapur District' and issue formal orders for cancellation of 'Stay Order' dated 13.04.2023..</p> <p>3. 'Interim Relief' to continue till 'Next Date.'</p> <p>4. S.O. to 20.10.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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: 06.10.2023</p> <p align="center">O.A. No.1144 of 2023</p> <p>L.N. GondhaliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 & 2. It is taken on record. However, there is no averment about the observations made in order dated 29.09.2023 as to whether 'Superintendent, Raigad - P.W.D.' will be willing to consider the request of the Applicant to post him back as 'Peon' in the office of 'Respondent No.2 – Executive Engineer P.W.D., Panvel'. Therefore, learned P.O. may obtain specific information in this regard by the next date from the 'Superintendent Engineer, Raigad - P.W.D.'.</p> <p>3. S.O. to 16.10.2023 for Final Hearing.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>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
	<p>Date: 06.10.2023</p> <p align="center">O.A. No.1273 of 2023</p> <p>Dr. S.S. DeshmukhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that he has been transferred from the post of Associate Professor of Ophthalmology, B.J. Government Medical College, Pune to the post of Associate Professor of Ophthalmology, Grant Government Medical College, Mumbai by Transfer Order dated 13.07.2023 of the Medical Education and Drugs Department. Subsequently, 'Dean, B.J. Government Medical College, Pune' relieved him on 14.07.2023.</p> <p>3. Learned Advocate for the Applicant also states that he had suffered 'BrainStoke' and therefore on 25.07.2023 he made representation of the Secretary, Medical Education & Drugs Department to request him on the post him back as Associate Professor of Ophthalmology, B.J. Government Medical College, Pune. The Applicant has been on leave since he was relieved on 14.07.2023.</p> <p>4. Learned Advocate for the Applicant further states that Dr. Kavita Dhowwarde, Associate Professor of Ophthalmology, Government Medical College, Nagpur who was posted in place of the Applicant has not joined as Associate Professor of Ophthalmology, B.J. Government Medical College, Pune and she also submits that Dr. Kavita Dhowwarde Associate Professor of Ophthalmology, Government Medical College, Nagpur has obtained 'Interim Relief' from Nagpur Bench [P.T.O.] of the Tribunal.</p>

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5. Learned P.O. states that the Applicant has been relieved on 14.07.2023 and should have forthwith joined as Associate Professor of Ophthalmology, Grant Government Medical College, Mumbai.

6. The Mumbai Bench of the Tribunal has already granted 'Interim Relief' in the case of all 'Transfer Orders' issued by Medical Education and Drugs Department for Professors, Associate Professors & Assistant Professors and therefore for parity 'Interim Relief' is granted to the Applicant and further considering that the post of Associate Professor of Ophthalmology, B.J. Medical College, Pune is vacant, the Applicant is permitted to join back and continue to work till such time as the 'Comprehensive & Full Review' of all the 'Transfer Orders' issued for Professor, Associate Professor & Assistant Professors is completed by Medical Education and Drugs Department; as stated by them in Affidavit-in-Reply dated 25.09.2023 filed in O.A. No.880/2023 & Ors.

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

8. Issue notice before admission returnable on 01.11.2023.

9. 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.

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.

11. 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.

12. 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.

13. S.O. to 01.11.2023.

Sd/-

(Debashish Chakrabarty)
Member (A)

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	<p style="text-align: center;"><u>O.A. No.1114 of 2016</u></p> <p>B.M. Sonawane & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants is directed to produce judgments on the point that when the services of the employee appointed temporarily not following regular procedure of recruitment is terminated and the said person is not in service for more than 5-6 years and his services is also not protected by interim order by the Court/Tribunal, can he be reappointed on the said post though the post is available.</p> <p>3. Ld. Advocate for the applicants relies on the judgment and order dated 13.11.2017 passed by the Hon'ble Supreme Court in Civil Appeal No.18510 of 2017. Sheo Narain Nagar & Ors. Vs. State of Uttar Pradesh & Ors. [AIR 2018 SC 233].</p> <p>3. S.O. to 9.10.2023.</p> <p style="text-align: center;">Sd/ _____ Sd/- _____</p> <p style="text-align: center;">(Medhã Gadgil) , (Mridula Bhatkar, J.) Member (A) Chairperson 6.10.2023 6.10.2023</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.589 of 2023</u></p> <p>M.K. Gadekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 2.11.2023. Interim relief to continue.</p> <p style="text-align: right;">Sd/- (Medha Gadgi) Member (A) 6.10.2023</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.1172 of 2023</u></p> <p>S.S. Kumbhar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply of respondent no.1 & 2.</p> <p>3. S.O. to 20.10.2023 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 6.10.2023</p> <p>(sgl)</p>

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	<p style="text-align: center;"><u>O.A. No.1239, 1153, 1289 of 2022</u></p> <p>Dr. N.R. Sabu Dr. J.V. Dixit & Ors. S.S. Savrikar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, Smt. Punam Mahajan and Shri M.R.Kulkarni, learned Advocates for the Applicants respectively and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply in OAs No.1239 of 2022 & 1289/2022.</p> <p>3. S.O. to 3.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 6.10.2023</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 style="text-align: center;"><u>O.A. No.461 of 2023</u></p> <p>R.B. Asan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Ld. Advocate for the applicant and his Advocate both the absent.</p> <p>2. Ld. Advocate for the applicant is directed to serve the office of Ld. CPO.</p> <p>3. S.O. to 19.10.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 6.10.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.394 of 2023</u></p> <p>A.S. Patani ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Bhavana R. Khichi holding for Shri A.S. Gaikwad, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 19.10.2023 by way of last chance.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 6.10.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.599 of 2023 in O.A. No.1197 of 2023</u></p> <p>J.G. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Anup Dhannawat, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 25.10.2023. 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 M.A & OA. 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>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. 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>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the MA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the MA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 6.10.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1157 of 2023 Mumbai</u> <u>(OA St. No.859/2023-Aurangabad)</u> with <u>MA No.627/2023 Mumbai</u> <u>(MA St. No.858/2023-Aurangabad)</u></p> <p>P.N. Patil & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri J.S. Deshmukh holding for S. Dhongde, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits that the subject matter of this OA is assigned to DB. Hence, the matter may be placed before DB.</p> <p>3. Registry is directed to place the above matter before appropriate DB.</p> <p style="text-align: right;">Sd/- (Medhã Gadgil) Member (A) 6.10.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.70 of 2023 in O.A. No.123 of 2023</u></p> <p>G.G. Dasarwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Applicant in person is not present.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission in MA returnable on 3.11.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of MA & OA. 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>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. 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>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the MA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the MA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 6.10.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 06.10.2023</p> <p align="center">O.A. No.700 of 2023</p> <p>B.S. ManeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Advocate holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that ^{by} Government Order dated 04.08.2023 of Revenue and Forest Department by which the earlier Transfer Order dated 16.03.2023 of Shri Sachin D. Mulik to the post of Tahsildar Atpadi, District - Sangli in place of the Applicant has been cancelled, and therefore the Applicant has been allowed to continue on the post of Tahsildar Atpadi, District - Sangli.</p> <p>3. The ^{thus} impugned Order dated 16.03.2023 is cancelled and [^] O.A. No.700/2023 is disposed off with 'No Order as to Costs.'</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>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: 06.10.2023</p> <p align="center">O.A. No.869 of 2023</p> <p>Dr. P.B. YeotikarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that she is not willing to pursue the O.A. No.869/2023 and has made an application and given in writing to the learned Advocate for the Applicant. The learned Advocate for the Applicant has submitted the letter dated 26.09.2023 written by the Applicant. The Applicant is resigning from the post of Livestock Development Officer.</p> <p>3. Learned P.O. states that the Applicant has been relieved from her post Livestock Development Officer, Ghodegaon, Tal. Ambegaon, District - Pune and her Application is submitted to the State Government.</p> <p>4. Hence, the Applicant is Allowed to withdraw O.A. No.869/2023 with 'No Order as to Costs.'</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>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>Date: 06.10.2023</p> <p align="center">O.A. No.1182 of 2023</p> <p>N. D. KedariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S M Kakade, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for 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 18.10.2023.</p> <p align="right">Sd/- (<u>Debashish Chakrabarty</u>) Member (A)</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: 06.10.2023</p> <p>O.A. No.1132 of 2023</p> <p>K.N. KhanekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.B. Gaikwad, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. Two Days time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 10.10.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</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>Date: 06.10.2023</p> <p>O.A. No.1004 of 2023 with O.A. No.1011 of 2023 with O.A. No.1044 of 2023 to O.A. No.1050 of 2023</p> <p>M.A. Kanwar & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. Two days time is granted to file 'Affidavit-in-Reply.'</p> <p>3. S.O. to 10.10.2023.</p> <p align="right">Sd/- <u>(Debashish Chakrabarty)</u> Member (A)</p> <p>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: 06.10.2023</p> <p>O.A. No.936 of 2023 with O.A. No.1051 of 2023 to O.A. No.1055 of 2023 with O.A. No.1136 of 2023 with O.A. No.1137 of 2023 with O.A. No.1142 of 2023 with O.A. No.1122 of 2023 with O.A. No.1123 of 2023 with O.A. No.1199 of 2023 with O.A. No.1113 of 2023</p> <p>M.A. Kanwar & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that 'Affidavit-in-Reply' of Medical Education & Drugs Department in O.A. No.880/2023 & Ors. has been filed on 25.09.2023 wherein it is mentioned that they intend to undertake 'Comprehensive & Full Review' of all the 'Transfer Orders' issued for Professor, Associate Professor & Assistant Professors. Therefore, it can be expected that appropriate decision will also be taken in respect of the 'Transfer Order' of the Applicants dated 30.06.2023.</p> <p>3. On request of learned P.O. four weeks time is granted to file 'Affidavit-in-Reply'.</p> <p>4. 'Interim Relief' to continue till next date.</p> <p>5. S.O. to 01.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</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>Date: 06.10.2023</p> <p align="center">O.A. No.810 of 2023 with O.A. No.911 of 2023</p> <p>R.B. Vaishnav & Ors., Vaibhav PilareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri H.M. Inamdar, learned Advocate holding for Shri V. Golambade, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Advocate holding for Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that he has amended the O.A. and included Respondent No.2, hence notices be issued to Respondent No.2. He also states that he would not like to file 'Affidavit-in-Rejoinder.'</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 to newly added Respondent No.2 before admission returnable on 30.10.2023.</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>

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

Tribunal's orders

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.

9. Since pleading is complete, O.A. be kept for Final Hearing.

10. S.O. to 30.10.2023.

Sd/-
(Debashish Chakrabarty)
Member (A)

NMN