

**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,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p><b>Date : 07.02.2023</b></p> <p align="center"><b>O.A.No.48 of 2018</b></p> <p>K.F. Naikwade .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Matter taken on up at the request of learned Advocate Ms. Mahajan.</p> <p>3. In view of the fact that appointment, selection and recruitment matters are heard, we are unable to take this matter, as it pertains to Seniority List.</p> <p>4. Adjourned to 21.03.2023.</p> <p align="right">Sd/-</p> <p align="center">/</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member(A) Chairperson</p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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|   | <p align="center"><u>O.A. No.94 of 2023</u></p> <p>S.T. Ingale &amp; 19 Ors. ..Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri D.R. Shelke, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pursuant to our order dated 24.1.2023 passed in the above OA, Ld. CPO has filed short affidavit dated 7.2.2023 of Hemraj Kashinath Bagul, Director (Information) (Administration), Mantralaya, Mumbai on behalf of respondents no.1 and 2.</p> <p>3. Ld. CPO relies on the said affidavit. In the said affidavit it is stated that process of revising the Recruitment Rules dated 18.12.2015 has been undertaken as per GR dated 9.9.2021 and the respondents have formed a committee on 2.11.2022 to revise the existing Recruitment Rules of 2015 in respect of Class-III and IV posts in Director General of Information and Public Relations (DGIPR) and the process of revising the recruitment rules is still underway.</p> <p>4. The applicants seek relief on the basis of Recruitment Rules, which are still under preparation. In view of the fact that Recruitment Rules have not yet been revised and the old rules are still in existence, we are unable to accept the contentions of the applicants and grant any relief in this matter.</p> <p>5. Hence, the OA is dismissed. No order as to costs.</p> <p align="right">Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member (A) Chairperson<br/>7.2.2023 7.2.2023</p> <p>(sgj)</p> |

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

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|   | <p><b>Date : 07.02.2023</b></p> <p style="text-align: center;"><b>M. A. No.616 of 2022 in O.A.No. 1032 of 2022</b></p> <p><b>S. D. Chavan</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to condone huge delay of 14 years caused in filing O.A. challenging communication dated 26.08.2008 whereby the claim of the Applicant for compassionate appointment has been rejected.</p> <p>3. The Applicant's father was in Government service and died in harness on 02.06.2000. That time the Applicant was minor. The Applicant's mother made an application on 03.10.2000 for compassionate appointment to her son who was minor that time. He attained majority on 16.10.2004. However, he did not make an application within one year after attaining majority. He made applications belatedly on 19.04.2006 and 11.07.2007. His applications, therefore, rejected by order dated 26.08.2008. Thereafter, Applicant did not avail legal remedy and filed this O.A. on 13.10.2022 along with application for condonation of delay to condone 14 years delay.</p> |

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

4. The only ground raised in M.A. is that Applicant was making representations to certain politicians and departments and, therefore, could not approach the Tribunal earlier. This could hardly be the ground to condone huge delay of 14 years. Once the claim for compassionate appointment is rejected and it has been communicated to the Applicant by order dated 26.08.2008, the Applicant ought to have availed legal remedy within one year. Mere making of representations would not revive the dead and stale cause of action. Except the ground of making representations, no other ground is pleaded to condone such huge delay of 14 years. The contention that financial condition was not good can hardly be considered for 14 years delay. The Applicant ought to have approached District Legal Authority, if he was really in need of financial assistance.

5. As such, there is huge, inordinate and unexplained delay of 14 years to file the O.A. for compassionate appointment. That apart, the period of more than 22 years is over from the date of death of deceased Government servant. The claim for compassionate appointment by the heir has to be proximate to the death of deceased Government servant. The fact that Applicant did not avail legal remedy for 14 years also shows that there was no such necessity of compassionate appointment.

6. For the aforesaid reasons, I have no hesitation to sum up that there is absolutely no explanation much less satisfactory to condone huge delay of 14 years. There cannot be endless compassion and we are governed by the law of limitation. The applicant obviously negligent and slept over his claim for 14 years.

7. In view of above, Misc. Application is accordingly dismissed with no order as to costs.

Sd/-

(A.P. Kurhekar)  
Member(J)

**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,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders   |
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|   | <p><b><u>O.A.711/2019 with O.A.437/2021 and O.A.741/2021</u></b></p> <p><b>Shri M.N. Gaikwad &amp; Ors.     ... Applicants</b><br/><b>      Vs.</b><br/><b>The State of Mah. &amp; ors.     ... Respondents</b></p> <p>1.     Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2.     In all these O.As, the issue is whether a person carrying pay scale of Rs.5500-9000 falls in Group 'B' or Group 'C', which is referred to the Division Bench.</p> <p>3.     The learned Advocate for the Applicant as well as learned Presenting Officer submit that the issue is still subjudice before Division Bench and requested to adjourn these O.As.</p> <p>4.     Adjourned to 27<sup>th</sup> April, 2022.</p> <p style="text-align: right;">Sd/-<br/><b>(A.P. Kurhekar)</b><br/><b>Member-J</b><br/><b>07.02.2023</b></p> <p>(skw)</p> |

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

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|   | <p>Date : 07.02.2023</p> <p align="center">O.A.No.595 of 2022</p> <p>S. R. Misal <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing and heard for some time, it is noticed that Applicant has not prayed to quash and set aside the transfer order dated 27.08.2021 whereby on transfer and promotion he was posted at M/s Akash Traders, FL-1, Mumbai suburban. However, there is no such specific prayer to quash and set aside the order dated 27.08.2021, the prayer is to decide the case of Applicant on the basis of Circular dated 11.07.2000 which <i>inter-alia</i> provides for giving positing as per options where a Government servant works in Adivasi area.</p> <p>3. Learned Counsel for the Applicant, therefore, sought permission to add prayer to quash and set aside the order dated 27.08.2021. It will not change the nature of O.A. since in substance it is already pleaded.</p> <p>4. Allowed to amend prayer clause. It be amended forthwith.</p> <p align="right">           Sd/-<br/>           ...<br/> <b>(A.P. Kurhekar)</b><br/> <b>Member(J)</b> </p> <p>vsm</p> |


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|   | <p>Date : 07.02.2023</p> <p align="center">O.A.No.503 of 2022</p> <p>S. B. Kanhere <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel 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 Sur-Rejoinder on behalf of Respondent Nos.1 to 3. It is taken on record.</p> <p>3. S.O. to 13.03.2023.</p> <p align="right"> <br/>           Sd/-<br/>           (A.P. Kurhekar)<br/>           Member(J)         </p> <p>vsm</p> |

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|   | <p>Date : 07.02.2023</p> <p style="text-align: center;">O.A.No.150 of 2023</p> <p>Dr. R. A. Kolekar <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the order dated 02.02.2023 issued by the Respondent No.2 - Deputy Director, Health Services, Pune whereby the Applicant is temporarily attached to Rural Hospital, Pimpode, Dist. Satara.</p> <p>3. The matter is taken up for admission hearing yesterday but on request of learned P.O. it is adjourned today to take instructions from the Deputy Director who passed the impugned order.</p> <p>4. Learned P.O. on instructions submits that the order dated 02.02.2023 was to be operative for seven days in terms of Circular dated 28.02.2011 and further adds that specific period of seven days remained to be specified in order dated 02.02.2023. Thus, according to her, after seven days, temporary attachment would come to an end.</p> <p>5. In view of above statement made by learned P.O., the O.A. is disposed of.</p> <p>6. After seven days, the Applicant shall resume <sup>at</sup> <del>to</del> original post. <sub>b</sub></p> <p>7. No order as to costs.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |



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|   | <p><b>Date : 07.02.2023</b></p> <p align="center"><b>O. A. No. 131 of 2023</b></p> <p><b>G. I. Hangarge</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <ol style="list-style-type: none"> <li>1. Heard Shri I. G. Hangarge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has raised the grievance of wrong fixation of pay while giving revised pay-scale in terms of 7<sup>th</sup> Pay Commission. Since the issue is very small, the O.A. could be disposed of after taking into consideration the steps taken by the Respondent No.1. Since the Applicant is already retired from service, the O.A. is expedited.</li> <li>3. Learned P.O. is directed to call the concerned person from the office of Respondent No.1 to apprise the Tribunal about revised pay given to the Applicant.</li> <li>4. Steno copy is granted to learned P.O.</li> <li>5. S.O. to 08.02.2023.</li> </ol> <p align="right">Sd/-<br/><b>(A.P. Kurhekar)</b><br/>Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

|  |  |
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| <b>Office Notes, Office Memoranda of Coram,<br/>Appearance, Tribunal's orders or<br/>directions and Registrar's orders</b> | <b>Tribunal's orders</b><br><b>Date : 07.02.2023</b> |
|--|--|

**O.A.No.891/2022**

K.S.A.H. Shaikh .....Applicant  
Vs.

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

1. Heard Ms. Amruta Kharade, learned Advocate holding for M/S. Talekar & Assoc. learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Interim relief granted on 06.09.2022 to be continued till next date i.e. 21.03.2023.

Sd/-

(Medha Gadgil)  
Member(A)

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

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|   | <p><b><u>07.02.2023</u></b></p> <p align="center"><b><u>O.A 1317/2022</u></b></p> <p>Smt S.R Shaikh ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Mahalakshmi Ganapathy, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O states that Respondent no. 2, M.P.S.C will file affidavit in reply today itself.</p> <p>3. We direct M.P.S.C to keep one post of Assistant Professor vacant under O.B.C female category in Government Medical College.</p> <p>4. S.O to 14.2.2023.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil)<br/>Member (A)<br/>Akn</p> <p align="right">/ (Mridula Bhatkar, J.)<br/>Chairperson</p> |

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

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|   | <p><b><u>07.02.2023</u></b></p> <p align="center"><b><u>O.A 143/2023</u></b></p> <p>Smt Archana H. Bhonkar ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.D Kango, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant prays that the Tribunal be pleased to hold and declare that the action on the part of the Respondents in not selecting the applicant by way of promotion for the post of Establishment Officer in the office of Respondent no. 4 and direct the Respondents to issue appointment order in favour of the applicant. Learned counsel submits that the representation dated 16<sup>th</sup> June, 2022 is not replied by the Respondents.</p> <p>3. Learned C.P.O seeks time to file affidavit in reply.</p> <p>4. S.O to 21.2.2023.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member (A) Chairperson<br/>Akn</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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|   | <p><b><u>07.02.2023</u></b></p> <p align="center"><b><u>O.A 451/2022 with O.A 631/2022</u></b></p> <p>Smt H.R Gangurde<br/>Shri P.V Topale ... Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. We direct the learned counsel for the applicants to serve the private Respondents. If the applicants submit application to the M.P.S.C for having the address of the private Respondents, then M.P.S.C shall provide the same to the applicants.</p> <p>3. Learned counsel for the applicants request for time.</p> <p>4. S.O to 28.2.2023. Part Heard.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil)<br/>Member (A)<br/>Akn</p> <p align="right">(Mridula Bhatkar, J.)<br/>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.....)

|  |                          |
|--|--------------------------|
| <b>Office Notes, Office Memoranda of Coram,<br/>Appearance, Tribunal's orders or<br/>directions and Registrar's orders</b> | <b>Tribunal's orders</b> |
|--|--------------------------|

**Date : 07.02.2023**

**C.A.No.77/2022 in O.A.No.759/2022**

S.D. Kulkarni .....Applicant

Vs.

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

1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned Advocate submits that he has received pension, but is yet to receive interest.

3. Learned C.P.O. submits that with reference to payment of interest is concerned the order has been issued on 10.01.2023. Copy wherein is taken on record.

4. In view of above, C.A. stands disposed of. The applicant should be paid the amount of interest within four weeks from today.

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.....)

|   |                   |
|---|-------------------|
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|---|-------------------|

**Date : 07.02.2023**

**O.A.No.943/2022**

V.S. Khandare .....Applicant

Vs.

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

1. Heard Ms. Pooja Manjoki, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Admit. Liberty to file rejoinder.

3. Adjourned to 05.04.2023.

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><b>Date : 07.02.2023</b></p> <p><b>O.A.No.35/2023</b></p> <p>K.R. Patil .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Applicant present in person. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant informs that he has done service on the office of Respondent on 19.01.2023.</p> <p>3. Applicant is directed to file affidavit of service.</p> <p>4. Adjourned to 28.02.2023.</p> <p style="text-align: right;">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member(A) Chairperson</p> <p>prk</p> |



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|   | <p align="center"><b>Date : 07.02.2023</b></p> <p align="center"><b>O.A.No.89/2023<br/>(Caveat No.125/2022)</b></p> <p>S.P. Kolte .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Pooja Manjoki, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant in O.A.No.89/2023, Mr. M.D. Lonkar, learned for the Applicant in Caveat and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. seeks time to file reply.</p> <p>3. Time granted. Adjourned to 14.02.2023. Interim relief to be continued till next date.</p> <p align="right">Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member(A) Chairperson</p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p><b>Date : 07.02.2023</b></p> <p style="text-align: center;"><b>O.A.No.144/2023</b></p> <p>S.D. Kokitkar .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant who was working as Deputy Engineer in the office of P.W.D. retired on 31.05.2017 on superannuation. He was denied pension and gratuity in view of the pendency of Departmental Enquiry. O.A. is filed in February, 2023.</p> <p>3. Learned Advocate raised two legal issues for interim relief :</p> <p>(a) D.E. is initiated on 15.02.2021 i.e. unsustainable in view of Rule 27 of the Maharashtra Civil Services (Pension) Rules, 1982.</p> <p>(b) On the date of retirement no D.E. was instituted or pending against the applicant so he is entitled to regular pension and gratuity.</p> <p>4. Adjourned to 14.02.2023. To be shown under the caption ' For Urgent Admission' subject to removal of office objections.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member(A) Chairperson</p> <p style="text-align: left;">prk</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p><b>Date : 07.02.2023</b></p> <p><b>C.A.No.49/2020 in O.A.No.822/2019 with<br/>C.A.No.50/2020 in O.A.No.823/2019 with<br/>C.A.No.51/2020 in O.A.No.824/2019 with<br/>C.A.No.52/2020 in O.A.No.825/2019 with<br/>C.A.No.53/2020 in O.A.No.826/2019 with<br/>C.A.No.43/2021 in O.A.No.400/2019 with<br/>C.A.No.44/2021 in O.A.No.821/2019</b></p> <p>Dr. G.P. Jangid &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. J.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Order dated 08.01.2020 passed in O.A.No.822/2019 &amp; Ors is required to be implemented. By order dated 14.09.2022 the Hon'ble High Court has directed the Respondents to comply the order within three months from the date of the said order.</p> <p>3. Learned Advocate Mr. Deshmukh seeks permission to amend the name of Respondent No.2.</p> <p>4. Permission granted. Amendment to be carried out forthwith.'</p> <p>5. In view that the order is not complied till date, we issue Contempt Notice to Mr. Sanjay Khandare, Principal Secretary, Public Health Department, Mantralaya, Mumbai as to why action under Contempt of Court should not be taken against him. Mr. Sanjay Khandare, Principal Secretary is directed to remain present on the next date.</p> <p>6. Adjourned to 07.03.2023.</p> <p style="text-align: right;"><b>Sd/-</b></p> <p style="text-align: center;"><b>(Medha Gadgil)</b><br/><b>Member(A)</b></p> <p style="text-align: center;"><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></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.....)

|  |                          |
|--|--------------------------|
| <b>Office Notes, Office Memoranda of Coram,<br/>Appearance, Tribunal's orders or<br/>directions and Registrar's orders</b> | <b>Tribunal's orders</b> |
|--|--------------------------|

**Date : 07.02.2023**

**C.A.No.73 of 2022 in O.A.No.119/2019 with  
O.A.No.705/2020 with O.A.No.576/2020**

A.T. Sakore .....Applicant

Vs.

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

1. Heard Applicant in person and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned C.P.O. informs that by order dated 19.01.2023 the Hon'ble High Court has confirmed the order passed by this Tribunal.

3. Adjourned to 16.02.2023 for reporting compliance of the order.

Sd/-

**(Medha Gadgil)  
Member(A)**

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p><b>Date : 07.02.2023</b></p> <p align="center"><b>O.A.No.1192 of 2022</b></p> <p>V.D. Teke &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. D.B. Khiare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. files short affidavit-in-reply.</p> <p>3. Learned Advocate submits that the reply is very short and not touching the issues raised by the applicant in O.A.</p> <p>4. Learned C.P.O. submits that they want to file this reply only.</p> <p>5. Adjourned to 07.03.202. Admit with liberty to file rejoinder.</p> <p align="right">Sd/-</p> <p align="center"> <b>(Medha Gadgil)</b><br/> <b>Member(A)</b> </p> <p align="center"> <b>(Mridula Bhatkar, J.)</b><br/> <b>Chairperson</b> </p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p align="center"><b><u>07.02.2023</u></b></p> <p align="center"><b><u>C.A 74/2022 in O.A 526/2022</u></b></p> <p>Sundari S.B &amp; Anr ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The names of the applicants have been recommended by the Respondents by order dated 2.2.2023.</p> <p>3. As the order of this Tribunal has been complied with, nothing remains in the Contempt Application and the same stands disposed of.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil)<br/>Member (A)<br/>Akn</p> <p>(Mridula Bhatkar, J.)<br/>Chairperson</p> |

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

Tribunal's orders

Date : 07.02.2023

**O.A.No.1115/2018 with O.A.No.168/2018**

M.S. Jadhav .....Applicant

Vs.

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

1. Heard Mr. S.K. Hande, learned Advocate for the Applicant, Ms. Pooja Manjoki, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Respondent No.4, Mr. Amrut Shivaji Patil & Respondent No.5, Mr. Narayan Devidas Kachare in O.A.No.1115/2018 & for Respondents No.3 & 4 in O.A.No.168/2018 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Learned Advocate Mr. A.A. Gharte is not present.

2. Learned Advocate Mr. Hande submits that he wants to delete the name of Respondent No.5, Mr. Narayan Devidas Kachare from the array of Respondents in O.A.No.1115/2018.

3. Applicant is present. We have confirmed from the learned Advocate Mr. Hande that no relief is sought against Respondent No.5 and if the present O.As are allowed Respondent No.5 is not going to be affected in any manner.

4. Learned Advocate Mr. Hande submits that he is not going to be affected if the O.A. is allowed.

5. In view of above, amendment is allowed forthwith.

6. Learned Advocate Mr. S.S. Dere will now represent only Respondent No.4, Mr. Amrut Shivaji Patil in O.A.No.1115/2018.

7. Adjourned to 14.02.2023. HOB

Sd/-

(Medha Gadgil)  
Member(A)

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p>Date : 07.02.2023</p> <p align="center">M. A. No.83 of 2023 in O.A.No.58 of 2023</p> <p>A. D. More <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for amendment simply to correct the description of Respondent No.3 which is shown as Additional Director General of Police, State of Maharashtra instead of Additional Director General of Police, Crime Investigation Department. It being inadvertent mistake, the description of Respondent No.3 be corrected.</p> <p>3. M.A. for amendment is accordingly allowed with no order as to costs.</p> <p align="right"> <sup>n</sup><br/>           Sd/-<br/>           (A.P. Kurhekar)<br/>           Member(J)         </p> <p>vsm</p> |



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|---|---|
|   | <p>Date : 07.02.2023</p> <p align="center">M. A. No.26 of 2023 in O.A.No.58 of 2023</p> <p>A. D. More <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to condone the delay of around 20 days caused in filing O.A. challenging transfer order dated 22.12.2021. Since considering short delay, I am inclined to condone the same so as to decide the O.A. on merit.</p> <p>3. M.A.26/2023 is accordingly allowed with no order as to costs.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p>Date : 07.02.2023</p> <p>O.A.No.58 of 2023</p> <p>A. D. More .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged the transfer order dated 22.12.2021. It is challenged quite belatedly. The delay is condoned today in view of order passed in M.A. No.26/2023.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 03.03.2023.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ <del>Miscellaneous</del> 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 / <del>Miscellaneous</del> Application shall stand dismissed.</li> <li>9. S.O. to 03.03.2023.</li> </ol> <p style="text-align: right;">       \n<br/>       Sd/-<br/>       (A.P. Kurhekar)<br/>       Member(J)     </p> |

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|---|--|
|   | <p>Date : 07.02.2023</p> <p>O.A.No.30 of 2023</p> <p>G. N. Tate .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted to file reply.</p> <p>3. S.O. to 21.02.2023.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|   | <p>Date : 07.02.2023</p> <p align="center">O.A.No.951 of 2021</p> <p>S. Y. Pawar <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri G. B.Pawar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted as a most last chance.</p> <p>3. S.O. to 15.02.2023.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|   | <p>Date : 07.02.2023</p> <p align="center">O.A.No.1229 of 2022</p> <p>M. M. Thakur <span style="float:right">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., three days time is granted to file reply.</p> <p>3. S.O. to 09.02.2023.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |



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|---|---|
|   | <p>Date : 07.02.2023</p> <p>O.A.No.145 of 2023</p> <p>M. B. Barmate ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant is seeking inter district transfer from the C.P. Mumbai to S.P. Chandrapur. His grievance is that despite 'NOC' given by S.P. Chandrapur, he was not relieved by the C.P. Mumbai.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 24.02.2023.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ <del>Miscellaneous</del> 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 / <del>Miscellaneous</del> Application shall stand dismissed.</li> <li>9. S.O. to 24.02.2023.</li> </ol> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> |

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|---|---|
|   | <p>Date : 07.02.2023</p> <p align="center">O.A.No.1221 of 2022</p> <p>V. L. Dharne <span style="float: right;">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. R. Kori holding for Shri R. G. Panchal, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1 and 2. It is taken on record.</p> <p>3. M.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 02.03.2023 with liberty to file Rejoinder.</p> <p align="right"> <sup>^</sup><br/> Sd/-<br/> <sup>v</sup><br/> (A.P. Kurhekar)<br/> Member(J) </p> <p>vsm</p> |



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|---|---|
|   | <p>Date : 07.02.2023</p> <p align="center">O.A.No.12 of 2023</p> <p>J. M. Kawade <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for hearing.</p> <p>3. S.O. to 16.02.2023.</p> <p align="right">           Sd/-<br/>           (A.P. Kurhekar)<br/>           Member(J)         </p> <p>vsm</p> |