

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p>O.A.No.353 of 2020</p> <p>P. D. KokareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri R. M. Kolge, learned Counsel has sent a leave note and requested for adjournment. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Learned P.O. submits that the matter needs to be decided at the earliest since interim relief is running against the Respondents.</p> <p>3. In view of interim relief in favour of the Applicant, the matter needs to be decided expeditiously.</p> <p>4. Learned P.O. is instructed to inform the next date of hearing to Shri R. M. Kolge, learned Counsel for the Applicant.</p> <p>5. Hence, S.O. to 10.02.2021.</p> <p><u>Later on</u></p> <p>6. Shri U. V. Bhosale, learned Counsel appeared and stated that he has received instructions from Advocate Shri R.M. Kolge that he would be unable to attend the Tribunal in next week due to hospitalization of his son.</p> <p>7. The matter be, therefore, kept on 15.02.2021 for hearing instead of 10.02.2021.</p> <p>8. S.O. to 15.02.2021.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar) (P. N. Dixit)</p> <p style="text-align: center;">Member(J) Vice-Chairman</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

**MISC APPLICATION NO.300 OF 2020
IN
ORIGINAL APPLICATION NO.672 OF 2020**

- 1) Shri Akash Manoj Malve,)
R/at Flat No.12, A Wing, Shriniketan Park,)
Gulmohor Colony, DGP Nagar 2, Near Mauli)
Mangal Karyalaya, Ambad, Nasik-422 010.) **... Applicant**

Versus

- 1) The Principal Secretary,)
Maharashtra State, Water Resources Department)
Mantralaya, Mumbai-32.)
- 2) The Chief Engineer (Electrical),)
Hydro Electric Project, Water Resources Department)
Hongkong Bank Bldg., 4th Floor, Mahatma Gandhi)
Marg, Fort, Mumbai-400 001.)
- 3) The Superintending Engineer,)
Ghatghar Division, Opp. Sahakar Vidyamandir,)
Kalva.)
- 4) The Executive Engineer,)
Ghatghar Hydroelectric Department No.1,)
Bhatsanagar, Taluka Shahapur, District Thane.) **Respondents**

Shri U.V. Bhosale, learned Advocate for the Applicant.

Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.



CORAM : Smt. Justice Mridula R. Bhatkar (Chairperson)

DATE : 08.02.2021.

ORDER

1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The Applicant claims appointment on compassionate ground in the place of his father who died in 1999. Earlier his mother's name was included in waitlist on 15.04.1999. However, as she became 40 years old on 12.08.2006 her name was deleted from the list by order dated 23.07.2008. At that time the Applicant was minor. He attended majority on 18.09.2020. He applied for the substitution on 26.12.2011. The Respondents by letter dated 04.01.2012 informed the Applicant that his name cannot be considered in view of para 2(3) of G.R. dated 22.08.2005. It was informed that the application for compassionate appointment should be made within one year from the date of the death of the Government Servant. The Applicant did not challenge the said order within time i.e. till 03.01.2013. He filed O.A. in respect of said refusal on 19.11.2020 Thus, there is a delay of seven years & eleven months.
3. Learned Advocate for the Applicant submitted that this is the issue of appointment on compassionate ground and Applicant was not aware of the procedure of approaching the Tribunal to challenge the refusal of the Respondent to include his name in the waitlist of the candidates clamming appointment on compassionate ground. He submitted that the Applicant is poor and his mother had applied within time and her name had appeared

✓

in the list. When he became major he immediately moved the Application for substitution. Learned Advocate submits that when he received refusal he was twenty years old boy and was not aware of the further procedure. Hence, the delay is not deliberate or intentional and therefore this delay of seven years and eleven months be condoned.

4. Learned C.P.O. relied on Affidavit of Shri Abhay S. Huddar, Executive Engineer, Tapi Hydro-Electric and lift Irrigation Division, Jalgaon dated 12.01.2021. Learned C.P.O. submits that the claim made by Applicant's mother for the appointment on compassionate ground, after the Applicant's father who expired in the year 1999, and now to include name of the Applicant in the wait list after twenty one year's itself defeats the object of the policy of the appointment on compassionate ground. The family has survived for twenty one years. Hence, she opposed the Application for Condonation of Delay.

5. The Applicant who applied for the substitution of his name in the wait list for compassionate appointment after his mother was age-barred, i.e. in the year 2006 that time the Applicant was minor and therefore he could not apply for the substitution as he became major on 18.09.2010. On 26.12.2011 i.e. one year and three months, thereafter, he applied for his substitution. There was a delay in moving Application for substitution. However, that delay could have been condoned in favour of the Applicant if the O.A. challenging refusal on 04.01.2012 would have been filed within time. In this M.A. I am dealing with the issue of delay of seven years and eleven months. On 19.11.2020 the O.A. is filed along with Application for Condonation of delay. As per order dated 23.03.2020 the ***Hon'ble Supreme Court, in Suo Moto Writ Petition (Civil) No(s).3/2020*** has condoned the




computation of period from 15th March 2020 thereafter. Thus those nine months delay may be condoned, however, yet there is delay of seven years and two months which need to be answered by the Applicant.

6. Perused the Application and also considered the submission of learned Advocate for the Applicant.

7. Ignorance of law is not an excuse. The delay can be due to negligence also. Some leniency could have been shown in the favour of the Applicant if the period of delay could have been short. However, it is long unexplained period of seven years and two months. Without just cause or reason condoning such delay will amount to complete disregard to the laws of limitation.

8. Hence, for want of sufficient and good cause, the delay in filing Application is dismissed along with O.A.

Sd/-

/ 
(Mridula R. Bhatkar, J.)
Chairperson

Mumbai
Date: 08.02.2021
Dictation taken by: N.M. Naik.

**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 : 08.02.2021</p> <p align="center">O.A.No.1113 of 2019</p> <p>S. D. WaghmareApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant was working as Assistant State Tax Commissioner, Solapur on the establishment of Finance Department. However, the Respondent No.1- Government by order dated 24.07.2019 deputed the Applicant as Assistant Commissioner, Pimpari-Chinchwad Municipal Corporation for the period of two years subjected to stipulation that his deputation period can be curtailed by the Government, if situation arises. Thus, his deputation order dated 24.07.2019 was passed by the Government in term of Maharashtra Civil Services (Joining Time, Foreign Service, and Payments during Suspension, Dismissal and Removal) Rules, 1981. Accordingly, the Applicant joined as Assistant Commissioner, Pimpari-Chinchwad Municipal Corporation on 01.08.2019.</p> <p>3. However, later the Respondent No.2 –Joint Commissioner (VAT Administration), Solapur abruptly by communication dated 11.09.2019 informed to the Applicant that he was not relieved properly as no proper procedure was followed while relieving him and he was directed to rejoin on the post of Assistant State Tax Commissioner, Solapur on which he was working before deputation.</p>

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

Tribunal's orders

4. The Tribunal has granted interim relief in favour of the Applicant by order dated 22.11.2019 with the observations that prima-facie it was for the Government who passed the order of deputation to cancel the same, if necessary in accordance to law and Respondent No.2 was not competent to recall the order passed by the order, as if, he is sitting in appeal.
5. During the course of hearing, it is thus transpired that the Respondent No.2 was not competent to pass any such order of recall.
6. Now, the period of six months remains for completion of deputation of Applicant in terms of order of deputation of two years.
7. Learned P.O. submits that correspondence is being made in between the Department and Government requesting the Government to recall the order of deputation but no orders are passed so far.
8. Since the Respondent No.1-Government is competent authority for recalling of deputation, it can do so in accordance to law but till then the Applicant needs to be continued as Assistant Commissioner, Pimpari-Chinchwad, Municipal Corporation in terms of his order of deputation dated 24.07.2019.
9. In view of above, O.A. is disposed of with directions to the Respondents to permit the Applicant to continue as Assistant Commissioner, Pimpari-Chinchwad Municipal Corporation till completion of the period of his deputation or till the Respondent No.1 pass further order of modification for recalling of deputation, whichever is earlier.
10. Original Application is accordingly disposed of with no order as to costs.


Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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 : 08.02.2021</p> <p align="center">O.A.No.109 of 2021</p> <p>N. M. PatekarApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants claim to be similarly situated person and entitled for the decision rendered by this Tribunal in O.A.No.83/2019 decided on 28.02.2019, O.A.No.328 & 331/2019, decided on 08.07.2019 as well as O.A.207/2020 decided on 16.06.2020. These Original Applications were filed for direction to relieve them to join their original establishments, having spent more than five years in Motor Transport Department. The Applicants were initially appointed as Police Constable but they were on deputation in Motor Transport Department as Drivers.</p> <p>3. Perusal of orders of earlier Original Applications reveal that the Respondents therein agreed to relieve the Applicants and on that basis Original Applications were disposed of.</p> <p>4. Present Applicants also seem to be similarly situated persons and entitled for the same treatment.</p> <p>5. Learned P.O., is therefore, directed to take instructions and to apprise the Tribunal within a week.</p> <p>6. S.O. to 15.02.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">M. A. No.57 of 2021 in O.A.No.109 of 2021</p> <p>N. M. Patekar & OrsApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This is an application for leave to sue jointly. 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.57/2021 is allowed. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No.845 of 2019</p> <p>R.B. Parab & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicants and <u>Ms.N. G. Gohad</u>, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for challenging communication dated 12.02.2019 whereby the claim of the Applicant No.2 for transfer of quarter in her name has been rejected.</p> <p>3. The Applicant No.1 retired as ASI on 31.05.2019. The Applicant No.2 is daughter in law of Applicant No.1. She joined service as Police Constable on 04.08.2010. She got married with the son of Applicant No.1 in 2015 and since then she is staying in the quarter which was allotted to Applicant No.1 during his tenure.</p> <p>4. Applicant No.2, therefore, made representation on 07.01.2019 for transfer of service quarter in her name. However, it has been rejected by communication dated 12.09.2019 stating that there is no such provision for transfer of quarter in the name of daughter in law. Today, learned P.O. has tendered recent G.R. issued by Home Department, Government of Maharashtra on 19.08.2020 whereby the daughter in law is included in the definition of family for the purpose of transfer of quarter subject to conditions mentioned therein.</p>

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

Tribunal's orders

5. Learned P.O., therefore, submits that the claim of the Applicant can be considered, if the Applicant makes a fresh representation on the basis of G.R. dated 19.08.2020.

6. Since the Government had issued latest G.R. on 19.08.2020 thereby including daughter in law in the definition of family for the purpose of transfer of quarter then it is for the Respondents to consider this subsequent development and to pass appropriate order instead of asking the Applicant to make fresh representation. It would be nothing but waste of time.

7. Learned P.O. fairly concedes that the Applicant No.2 is entitled for the same service quarter in terms of its area.

8. In view of above, O.A. is disposed of with directions to Respondent No.2 to consider the representation dated 07.01.20219 made by the Applicant No.2 afresh in the light of latest G.R. dated 19.08.2020 and to pass appropriate orders within a month from today and in accordance to rules.

9. Original Application is accordingly disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No. 1087, 1088, 1112 of 2019 with O.A.No.36 of 2020 & O.A.149 of 2020</p> <p>N.N. Khanolkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale (O.A.1087/2019) and Shri B. A. Bandiwadekar, learned Counsels for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The matters are adjourned for hearing at the stage of admission.</p> <p>3. In the meantime, the Respondents are at liberty to pass appropriate orders on the applications made by the Applicants for transfer of quarters in accordance to law.</p> <p>4. S.O. to 25.02.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No.1212 of 2019</p> <p>S. V. Rane & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submits that during the pendency of O.A., the quarter is already allotted to Applicant No.1 - Shri S. V. Rane and his grievance is redressed.</p> <p>3. Learned Counsel for the Applicants fairly concedes this position.</p> <p>4. In view of above, Original Application has become infructuous and disposed of with no order as to costs.</p> <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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 : 08.02.2021</p> <p>O.A.No.1203 of 2019</p> <p>P.P. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submits that during the pendency of O.A., the quarter is already allotted to the Applicant.</p> <p>3. Thus, during the pendency of O.A. grievance of the Applicant is redressed.</p> <p>4. In view of above, Original Application has become infructuous and disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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 : 08.02.2021</p> <p align="center">O.A.No.1095 of 2019</p> <p>S. S. Mahadeshwar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicants and Ms N. G. Gohad, learned Presenting Officer for the Respondents. 2. Learned P.O. on instructions submits that quarters are already allotted to Applicant Nos.1, 3 and 5 during the pendency of this O.A. 3. Learned Counsel for the Applicants also fairly concedes this position. 4. Thus, grievances of the Applicants stand redressed. 5. In view of above, Original Application has become infructuous and disposed of with no order as to costs. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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 : 08.02.2021</p> <p align="center">O.A.No.1088 of 2019</p> <p>D. U. Sawant & Ors. ...Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents. 2. Today, learned P.O. on instructions submits that the Commissioner had already issued orders for allotment of quarters in favour of Applicant Nos.1 to 14 and the request of Applicant No.15 is in progress. 3. In so far as Applicant No.16 is concerned, she submits that his appointment is temporary, and therefore, no order of tranfer of quarter is passed. 4. In view of above, the grievances of Applicant Nos.1 to 14 are redressed. 5. Applicant Nos.1 to 14 be deleted from the array of petitioners and O.A. shall continue in respect of Applicant Nos.15 and 16 only. 6. Adjourned for hearing at the stage of admission. 7. S.O. to 25.02.2021. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No.1108 of 2019</p> <p>V. D. SuryawanshiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that Affidavit-in-Rejoinder will be filed during the course of the day. Statement is accepted. It be taken on record. The copy be furnished to learned P.O.</p> <p>3. The matter is adjourned for final hearing.</p> <p>4. S.O. to 23.02.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No.399 of 2020 with 400 of 2020</p> <p>B. A. Shinde & anr.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants, Shri A. J. Chougule, learned Presenting Officer for the Respondents and Ms Ayesha Keshodwala holding for Shri V. Chavan & A. Keshwade, learned Counsel for the Respondent No.2 in O.A.No.400/2020.</p> <p>2. In so far as O.A.No.399/2020 is concerned, the office is directed to see whether the Respondent No.2 is served and to make endorsement on that effect on farad.</p> <p>3. Shri A. J. Chougule, learned P.O. submits that one of the O.A. is handled by Smt. Kranti Gaikwad, learned P.O. who is unable to attend the Tribunal for a week. He, therefore, requested to keep both the matter in next week.</p> <p>4. S.O. to 22.02.2021 in the afternoon session.</p> <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p>O.A.No.382 of 2020</p> <p>A. D. KhadakeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed short affidavit on behalf of the Respondent No.1 and 2 and has produced Minutes of Civil Services Board Meeting. It is taken on record, 3. In the present O.A., the Applicant has been transferred by order dated 10.08.2018 from the post of Food Safety Officer, Thane-87 to Raidad 118. He was due for transfer but his grievances that he was not given posting as per the options given by him. He had asked for Raigad-113 but he was posted at Raigad-118. 4. The matter is heard for some time and during the course of hearing, learned Counsel for the Applicant proposed that matter can be disposed of with direction to consider the options given by the Applicant afresh in General Transfer of 2021 and till then interim relief already granted by the Tribunal be continued. 5. Shri A. J. Chougule, learned P.O. on instructions stated that the Respondents have no objection to consider the representation given by the Applicant afresh in General Transfer of 2021 and till then interim relief can be continued. 6. Interim relief was granted in favour of the Applicant by order dated 20.08.2020. Now, General Transfers of 2021 are hardly 3-4 months away, therefore, submission made by learned Counsel for the Applicant conceded by learned P.O. is reasonable and the matter deserves to be disposed of. 7. In view of above, Original Application is disposed of with direction to make representation afresh and Respondents shall consider the same in General Transfer of 2021 in accordance to rules and shall communicate the decision to the Applicant within two weeks from the date of decision. Interim relief granted by the Tribunal by order dated 20.08.2020 shall continue till the decision on the representation to be made by the Applicant. 8. No order as to costs. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

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

Tribunal's orders

O.A.No.1177 of 2019

V. M. ThombareApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. The Applicant and his Counsel are absent. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Today, this O.A. is listed for compliance of the order dated 08.01.2021 passed by the Tribunal whereby Respondent No.2 was directed to cause inquiry into the matter for non sending of appeal of the Applicant to the Government for a period of one year and to fix the responsibility upon concerned person for negligence in discharging duties and to submit the report on 08.02.2021 without fail.
3. When the matter was called, Shri A.J. Chougule, learned P.O. all that stated that appeal is already forwarded to the Government and nothing else. He has further pointed out that he had already forwarded the copy of order dated 08.01.2021 to Respondent No.2 for necessary compliance of the direction given by the Tribunal.
4. Thus, despite communication of the order dated 08.01.2021 to the Respondent No.2 by learned P.O., no steps are taken to cause inquiry and to submit the report to the Tribunal. This shows total disregard to the orders passed by the Tribunal as well as very casual approach of the office of Respondent No.2.
5. In view of above, ~~is~~^{is} cognizance of the contempt of order of court needs to be taken. Hence, issue notice to the Respondent No.2 as to why *suo moto* cognizance for contempt of court should not be taken and why he should not be dealt with for disobedience of the order passed by the Tribunal under Contempt of Court Act.
6. Issue notice returnable on 15.02.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 08.02.2021</p> <p align="center">O.A.No.189 of 2020</p> <p>S. A. WarangApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents requested for short time since it was earlier handled by Smt. Kranti Gaikwad, learned P.O. who is unable to attend the matter for a week.</p> <p>3. S.O. to 01.03.2021.</p> <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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 : 08.02.2021</p> <p align="center">O.A.No.212 of 2020</p> <p>S. H. ParcheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for Respondents requested for short time since it was earlier handled by Smt. Kranti Gaikwad, learned P.O. who is unable to attend the matter for a week.</p> <p>3. S.O. to 12.02.2021.</p> <p align="right">Sd/- V (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No. 1220 of 2019</p> <p>R. P. JagtapApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Rekha Musale, learned Counsel for the Applicant , Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri D.B. Khaire, learned Counsel for the Respondent No.4.</p> <p>2. In this matter, the notices were issued on 19.12.2019 but till date no reply is filed. The request made by learned P.O. for grant of time to file reply is therefore, rejected. The matter to proceed without reply against Respondent Nos.1 to 3.</p> <p>3. Shri D. B. Khaire, learned Counsel for the Respondent No.4 submits that reply will be filed during the course of the date. Statement is accepted. It be taken on record.</p> <p>4. The matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 26.02.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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 : 08.02.2021</p> <p align="center">O.A.No.138 of 2020</p> <p>S.B. Kumbhar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. K. Mishra, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed Affidavit in Sur-Rejoinder on behalf of the Respondent No.2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 26.02.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No.1228 of 2019</p> <p>R. K. Jadhav ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks short time on the ground that Smt. Kranti Gaikwad who was entrusted with the matter is unable to attend the Tribunal for personal reasons.</p> <p>3. S.O. to 12.02.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No.06 of 2020</p> <p>R. M. RedekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri R. M. Kolge, learned Counsel for the Applicant has filed leave note. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. In view of leave note, the matter is adjourned for hearing.</p> <p>3. S.O. to 22.02.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p align="center">O.A.No.554 of 2020</p> <p>S. S. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. D. Sarode, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, one week time is lastly granted for filing Rejoinder.</p> <p>3. S.O. to 15.02.2021.</p> <p align="right">^ Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 08.02.2021</p> <p align="center">O.A. No.119 of 2020 with O.A. No.120 of 2020</p> <p>N.B. More P.A. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.D. Sarode, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Shri S.D. Sarode stated that Shri S.S. Dere is busy in Hon'ble High Court and therefore seeks time.</p> <p>3. Adjourned to 09.02.2021 for hearing at the stage of admission.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 08.02.2021</p> <p align="center">M.A. No.49 of 2018 in O.A. No.83 of 2018</p> <p>U.N. KhobragadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Perusal of record reveals that after lockdown today first time the matter is listed for hearing of M.A. in which no reply is filed by the Respondent.</p> <p>3. On request of the learned P.O. two weeks time is required to file Reply.</p> <p>4. S.O. to 22.02.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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 : 08.02.2021</p> <p align="center">O.A.No. 297 of 2020</p> <p>M. N. ChaudharyApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant , Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos. 1 to 3 and Shri A. V. Bandiwadekar, learned Counsel for Respondent No.4.</p> <p>2. Learned Counsel for the Respondent No.4 submits that he is filing Affidavit in Sur-Rejoinder on behalf of the Respondent No.4 during the course of the day. Statement is accepted. It be taken on record. The copy be supplied to learned Counsel for the Applicant.</p> <p>3. On request of learned Counsel for the Applicant, the matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 25.02.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 08.02.2021

O.A.No.829 of 2019

A.B. Ghadge & Ors. ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

Suo Motu speaking to minutes.

In paragraph 7 of order dated 05.02.2021, the
sentence,

*"Whether Clause 4 of Circular dated 21.02.2014
(Exhibit 'A' of O.A.) and Clause 13 of Circular
dated 30.01.2014 (Exhibit 'C' of O.A.) are in
consonance with Rule 180(3)(e) of the
Maharashtra Police Manual 1959?"*

Is to be read as,

*"Whether the view taken by the earlier Division
Bench in O.A.No.378, 38, 39, & 40 all of 2016
decided on 24.03.2017 of Aurangabad Bench of
this Tribunal is in consonance with Rule
180(3)(e) of the Maharashtra Police Manual
1959?"*

Sd/-

**(P.N. Dixit)
Vice-Chairman**

Sd/-

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

prk

**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 : 08.02.2021</p> <p align="center">O.A.No.54 of 2021</p> <p>P.A. Gore ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant working as Head Wireless Operator, in the office of Additional Director General of Police and Director, Police Wireless, is wrongly denied the H.R.A. w.e.f. May, 2020 on the ground that it is necessary to obtain the certificate of non-availability of residential quarters from the Head office, when 18 residential quarters are available.</p> <p>3. The learned Counsel A.R. Joshi submits that the stoppage of H.R.A. and the reasons for it was communicated by letter dated 26.05.2020. He further submits that the applicant has made the representation. However it was rejected by letter dated 15.07.2020 and also letter dated 11.09.2020. The learned Counsel in support of his submission relies on Rule 259, Chapter VIII, Part 1 of Bombay Police Rules 1959.</p> <p>4. The learned C.P.O. seeks time for instructions.</p> <p>5. The learned C.P.O. is directed to produce the G.R. in respect of H.R.A. issued by the Government from time to time.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<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 01.03.2021.</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 in view of this present COVID-19 Pandemic situation. 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> <p>10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. Adjourned to 01.03.2021.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>08.02.2021</u></p> <p align="center"><u>O.A 719/2020</u></p> <p>K.S Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Shri A.R Joshi, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files reply on behalf of Respondent no. 2, that is Director General of Police along with copy of proposal dated 8.12.2020. Learned C.P.O submits that in the proposal dated 8.12.2020 sent by Shri Rajesh Pradhan, Spl. I.G (Estt), it is proposed that 7.6.2014 is to be declared as deemed date of the date of promotion to the post of Police Inspector of the applicant. Now the proposal is pending before Respondent no. 1.</p> <p>3. Respondent no. 1, Home Department to file reply.</p> <p>4. S.O 5.4.2021.</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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

Tribunal's orders

O.A. No.91 of 2021

Kirankumar B. Patil ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant is working as Senior Clerk under respondent no.3 – Deputy Director, Sports and Youth Services, Kolhapur. Though he is promoted by order dated 24.11.2020 from the post of Junior Clerk to Senior Clerk by respondent no.3 his promotion is withheld. Therefore, he is challenging the said order dated 24.11.2020.

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

4. Issue notice before admission returnable on 8.3.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

Sd/-

(P.N. Dixit)
Vice-Chairman
8.2.2021

(Mridula R. Bhatkar, J.)
Chairperson
8.2.2021

(sgj)

**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
---	-------------------

08.02.2021

O.A 86/2021

Shri Ramesh D. Phadakale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O seeks time to file reply. Time granted by four weeks.

3. In the meanwhile, there is no bar for the Respondents to decide the proposal of 3.1.2018 regarding grant of deemed date.

4. Learned advocate for the applicant seeks to carry out amendment in the O.A. Leave to amend in the pleadings and prayer granted.

5. S.O to 8.3.2021.

Sd/-

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

Akn

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

08.02.2021

O.A 33/2021

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

1. Heard Shri S.B Gaikwad, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.

2. Pursuant to order dated 2.2.2021, learned P.O on instructions informs that the amount of Rs. 3,82,361/- is already recovered from the applicant. Learned P.O has to disclose the date of the recovery.

3. Learned counsel for the applicant submits that the authorization was issued from the office of A.G on 10.12.2020 and applicant received the copy of the same on 23.1.2021. Thus before the receipt of authorization from A.G., no recovery can be made. It is also submitted that the bill to that effect is not submitted from the office of the Respondent.

4. Matter is kept back to inform the exact date of recovery from the applicant.

5. Learned P.O on instructions from Shri Atul Patekar, Clerk in the office of Respondent no. 3, makes statement that the amount of Rs. 3,82,361/- is already recovered on 28.1.2021.

6. Learned counsel for the applicant Mr Gaikwad challenges the statement made by learned P.O about recovery and states that till today no amount is recovered from the applicant.

7. Learned P.O is given to understand that if there is no recovery and the statement is found false, this Tribunal will issue suo moto contempt against the Respondents for making false statement before the Court.

8. In view of the above, prayer for interim relief is rejected.

9. S.O to 1.3.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**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
---	-------------------

08.02.2021

O.A 121/2021

D.D Jadhav ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri D.B Khaire, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.

2. The applicant working as Assistant Sub Inspector, challenges order dated 29.1.2021 and 18.12.2020 issued by Respondents no 2 & 3, by which applicant is directed to vacate his service quarters within seven days vide order 29.1.2021.

3. The learned counsel submits that the issue arose out of the dispute and petty quarrels between the neighbors and objection taken by the applicant's family to the smoking of one of the neighbors. He submits that if the applicant vacates the service quarter, his entire family will be disturbed.

4. Learned P.O wants time to seek instructions.

5. In view of the submissions and as the applicant is occupying the quarters since last 22 years and will be retiring after approximately 3 years, the impugned orders dated 18.12.2020 and 29.1.2021 directing the applicant to vacate the quarters within seven days are hereby stayed till filing of the reply.

6. Meanwhile, the Respondents to take initiative to mediate the dispute between their own Police Personnel.

7. S.O 8.3.2021.

M. 11/2/21 H.
Sd/-

/ v r
(Mridula Bhatkar, J.)
Chairperson

Akn

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

Date : 08.02.2021

O.A.No.26 of 2021 with M.A.No.10 of 2021

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

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. The applicant challenges the order of recovery dated 16.09.2016 saddling the recovery of Rs.1,53,279/-. He also challenges the order of 24.01.2017 informing that from January 2017 the amount of Rs.2,000/- will be recovered per month till March, 2013 and in April, 2023 the last installment will be Rs.3,279/-. The applicant retired on 31.05.2012.

3. The learned Counsel further files M.A.No.10/2021 seeking condonation of delay of 4 years and 4 months. In fact it is less from the date of recovery till the letter of recovery dated 24.01.2017.

4. The learned Counsel further points out the order dated 23.03.2020 passed by the Hon'ble Supreme Court in Sue Motu Writ Petition (Civil) No.3 of 2020 wherein the Hon'ble Supreme court has directed that the period of limitation in such proceedings to be condoned due to COVID-19 Pandemic from 15.03.2020 till further order. Hence, now the delay will be hardly of 1 year and 4 months.

5. S.O. to 01.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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
---	-------------------

08.02.2021

O.A 71/2021

Mrs P.B Rajput ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.

2. Learned P.O is directed to make a statement that when the next promotions for the subsequent batch will be made by the Respondents and file affidavit in reply.

3. The issue of interim relief is kept open.

4. S.O to 15.2.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**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
---	-------------------

08.02.2021

O.A 734/2020

Smt M.H Gaikwad ... Applicant
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri U.V Bhosle, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.

2. Learned P.O files affidavit in reply of Respondents no 1 to 5 through Ms Vanita M. Barge, Assistant Conservator of Forest, in the office of Divisional Forest Office, Nasik dated 8.2.2021, who is personally present.

3. Learned P.O produces copy of letter dated 29.1.2021 addressed to the Accountant General, State of Maharashtra, Mumbai, by the Respondents that they have forwarded the proposal of the applicant in respect of family pension.

4. S.O 22.3.2021.

Sd/-

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

Akn

**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
---	-------------------

Date : 08.02.2021

O.A.No.53 of 2021

N.G. Ranganekar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents


1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant working as Wireless Operator, in the office of Additional Director General of Police and Director, Police Wireless, is wrongly denied the H.R.A. w.e.f. May, 2020 on the ground that it is necessary to obtain the certificate of non-availability of residential quarters from the Head office, when 18 residential quarters are available.

3. The learned Counsel A.R. Joshi submits that the stoppage of H.R.A. and the reasons for it was communicated by letter dated 26.05.2020. He further submits that the applicant has made the representation. However it was rejected by letter dated 15.07.2020 and also letter dated 16.09.2020. The learned Counsel in support of his submission relies on Rule 259, Chapter VIII, Part 1 of Bombay Police Rules 1959, which is reproduced on page 5 of the O.A.

4. The learned C.P.O. seeks time for instructions.

5. The learned C.P.O. is directed to produce the G.R. in respect of H.R.A. issued by the Government from time to time.



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

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

7. Issue notice before admission returnable on 01.03.2021.

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 in view of this present COVID-19 Pandemic situation. 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. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

11. Adjourned to 01.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

Date: 08.02.2021

O.A. No.18 of 2021

Dr. Smt. D.B. BhosaleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The Applicant who is working as Deputy Collector, Land Acquisition challenges the order dated 15.12.2020 by which minor punishment of stoppage of increment for period of one year is imposed.
3. Learned C.P.O. points out that though there is provision of appeal, this order of imposing minor punishment is not challenged before the Appellate Authority.
4. Issue notice before admission returnable on 15.03.2021.
5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view-of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.
9. S.O. to 15.03.2021.

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson

**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: 08.02.2021</p> <p align="center">O.A. No.22 of 2021</p> <p>D.M. BhondeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Similar matter is filed before the Single Bench.</p> <p>3. The Applicant who retired, challenges the order dated 30.04.2015 imposing punishment.</p> <p>4. Learned Advocate for the Applicant points out that in fact the said order was partly set aside in appeal dated 13.03.2019, However, both the orders are under challenge. He is also challenging order of recovery of Rs.4,51,519/-. The Applicant retired on 31.12.2020. The Advocate for the Applicant pointed out that identical matter O.A. No.31/2020 is pending before the Single Bench consisting of Shri A.P. Kurhekar, Hon'ble Member (J), Maharashtra Administrative Tribunal, Mumbai.</p> <p>5. The present O.A. No.22/2021 is tagged with O.A. No.31/2020 and this matter is to be placed before the Single Bench consisting of Shri A.P. Kurhekar, Hon'ble Member (J).</p> <p>5. S.O. to. 11.02.2021.</p> <p align="right">Sd/- (Mridula R. Bhatkar, J.) Chairperson</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: 08.02.2021</p> <p align="center">M.A. No.356 of 2020 in O.A. No.795 of 2020</p> <p>M.S. ShelakeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Rekha Musale, learned Advocate holding for Shri N.L. Rajguru, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Learned C.P.O. seeks time for filing Reply. 3. Time as prayed is granted. 4. S.O. to 08.03.2021. <p align="right">Sd/- (Mridula R. Bhatkar, J.) Chairperson</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 align="center">Date: 08.02.2021</p> <p align="center">O.A. No.278 of 2020 with O.A. No.336 of 2020</p> <p>V.V. Bhadange M.L. SwamiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. produces the letters dated 08.02.2021 of Deputy Commissioner (Revenue), Pune, informing the decision of the review committee which was scheduled on 13.01.2021. Learned C.P.O. informs that the review committee has taken decision to reinstate the Applicants in the service. It is taken on record and marked as exhibit '1' for identification.</p> <p>3. The matters are fixed on 08.03.2021 for further communication.</p> <p align="right">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

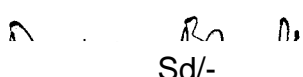
of 20

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: 08.02.2021</p> <p align="center">O.A. No.295 of 2020</p> <p>A.G. Shinde & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Abhijit Pawar, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. 3. Learned Advocate for the Applicant seeks time to file Rejoinder. 4. Time as prayed is granted. 5. S.O. to 08.03.2021. <p align="right">  Sd/- / (Mridula R. Bhatkar, J.) Chairperson </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 align="center">Date: 08.02.2021</p> <p align="center">O.A. No.349 of 2020</p> <p>V. A. LalbigeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. Asawari Ghate, learned Advocate holding for Smt Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. to file Reply. 3. Learned Advocate for the Applicant produces the service by registered post to the office of Social Justice Department, Mantralaya, Mumbai which was made on 14.08.2020. 4. Learned P.O. to take note that responsible statement to be made only after taking the proper instructions about the services from the Respondent. 5. Time granted for Rejoinder if any. 6. S.O. to 01.03.2021. <p align="right">  Sd/- _____ (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>

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

Date : 08.02.2021

O.A.No.108 of 2021

D.S. Gavit ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The applicant who retired as Assistant Commissioner of Police on 28.02.2019 from Thane yet he is not getting pension and also other pensionary benefits for want of no enquiry certificate from the Department. He points out that by letter dated 12.03.2019 the Desk Officer from the office of Director General of Police has informed the Director General, Anti-corruption Bureau, Mumbai that one enquiry is pending against the applicant and was asked to furnish the detailed report about it by letter dated 28.02.2019. However till today no report is submitted by the Anti- Corruption Bureau. The learned Counsel submits that by letter dated 25.03.2019 and 07.05.2019 the applicant has made representations about the same issue to the Respondents which are pending.
3. The learned P.O. seeks time to find out whether such enquiry is pending and why that report is not submitted by the Anti- Corruption Bureau.
4. Adjourned to 15.02.2021 for filing affidavit-in-reply.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 08.02.2021

O.A.No.106 of 2021

H.P. Kate ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.R. Joshi, holding for Shri V.V. Joshi, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
2. The applicant who was working as a Clerk with the office of Executive Engineer, Ujani Dam Management Division, Bhimanagar, Madha, District Solapur, retired on 30.04.2019, challenges the order dated 23.07.2020 of the recovery of Rs.2,02,749/- since 11.05.2011.
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 01.03.2021.
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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. S.O. to 01.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Date : 08.02.2021

O.A.No.95 of 2021

G.N. Dongarkar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant is retired from the post of Artist from V.M. Medical College, prays for declaration that the Applicant is entitled to have a pay fixation w.e.f. 01.01.2006 in the Pay Band of Rs.9300-34800/- with Grade Pay of Rs.4,300/- with Additional Pay of Rs.600/-
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 15.03.2021.
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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. S.O. to 15.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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 : 08.02.2021

O.A.No.83 of 2021

M.S. Dev ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant working as Rexine Instructor in Government Girls Observations Home at Ulhasnagar challenges the order of recovery dated 17.08.2020 passed by Respondent No.1.
3. The learned P.O. points out that as no copy is served to the office of any of the Respondents and also to the office of C.P.O., the matter be adjourned by one week.
4. The Respondents to consider the order passed by this Tribunal dated 05.12.2018 in O.A.No.805 to 807 of 2016, Mrs. Rekha Vijay Dubey Versus The State of Maharashtra & Ors.
5. Adjourned to 15.02.2020.

Sd/-

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

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2021</p> <p><u>M.A.No.34 of 2021 in O.A.No.55 of 2021</u></p> <p>S.B. Savlekar ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M.A.No.34 of 2021 is filed seeking condonation of delay. The cause of action took place on 16.11.2016, hence, there is delay of 3 years. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 01.03.2021. 5. Applicants are authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicants are directed to file Affidavit of compliance and notice. 8. Adjourned to 01.03.2021. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</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
---	-------------------

Date : 08.02.2021

**O.A.No.55 of 2021 with M.A.No.33 of 2021 with
M.A.No.34 of 2021**

S.B. Savlekar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. This is an application for leave to sue jointly.

3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are 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.33 of 2021 is allowed.

Sd/-

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

prk

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

Date : 08.02.2021

O.A.No.79 of 2021

G.C. Gawade ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri U.V. Bhosale, learned Advocate holding for Shri R.M. Kolge, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. The Applicant prays for appointment on compassionate ground.

3. Issue notice before admission returnable on 01.03.2021.

4. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. S.O. to 01.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
---	-------------------

Date : 08.02.2021

O.A.No.31 of 2021

P.B. Borate ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The applicant prays for releasing regular pension, gratuity, commutation leave, commutation of pension with 18% interest and also the period of suspension to be treated as period of duty period for all purposes and allowances upto his date of superannuation i.e. 30.09.2012.
3. The learned Counsel Shri Jagdale submits that he is acquitted on 17.05.2014 by the Sessions Court for his prosecution under the Prevention of Corruption Act, 1988. The alleged offence took place on 29.06.2010. He submits that he retired on 30.09.2012 however, the D.E. was initiated after his retirement i.e. on 22.04.2013.
4. Matter is fixed after one week as learned C.P.O. seeks time to obtain instructions as to what has happened in D.E.
5. Adjourned to 15.02.2021.

Sd/-

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

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

Date : 08.02.2021

O.A.No.25 of 2021 with M.A.No.9 of 2021

W.B. Pawar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
2. The Applicant challenges the recovery of amount of Rs.1,08,661/-. He retired on 30.06.2010. The order deciding the recovery was issued by the Account Office on 12.08.2016 and copy was served on him. However, the Treasury Officer Pension Department, Thane, issued order for recovery of downward revision on 17.12.2018. The last recovery was in the month of June 2021 of Rs.661/-.
3. The learned Counsel Mr. Chandratre has filed M.A.No.9/2021 seeking condonation of delay of 4 years and 5 months. However, he submits that rather the delay is to be computed from 17.05.2018 i.e. the date when the order was issued by Additional Treasury Officer Pension Department, Thane addressed to him for recovery. He submits his first installment of recovery was from pension amount of January, 2019. He therefore submits that thus the period of delay is in fact very less.
4. He further points out the order dated 23.03.2020 passed by the Hon'ble Supreme Court in Sue Motu Writ Petition (Civil) No.3 of 2020 wherein the Hon'ble Supreme court has directed that the period of limitation in such proceedings to be condoned due to COVID-19 Pandemic from 15.03.2020 till further order. Hence, now the delay will be hardly of 1 year and 4 months.
5. Adjourned to 01.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Date : 08.02.2021

O.A.No.99 of 2021

K.D. Wadekar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant, who was working as a Peon in office of Land Record Department, seeks direction from the Respondents to sanction pension to the applicant from the date of her retirement i.e. 25.06.2018 and release all pensionary benefits from the said date. The Applicant was compulsorily retired.
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 08.03.2021.
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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. Adjourned to 08.03.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson