

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>C.A. No.1 of 2022 in O.A. No.370 of 2019</u></p> <p>L.T. Rathod ..Applicant  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri P.L. Rathod, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO produces copy of order dated 6.2.2023 signed by Shri Santosh Deshmukh, Under Secretary, Medical Education &amp; Drugs Department. The same is taken on record and marked Court Exhibit 'X' for identification.</p> <p>3. Ld. PO submits that while fixing pay as per deemed date given to the applicant, no option can be given to the applicant as per rules.</p> <p>4. Ld. PO submits that deemed date was given to the applicant to the post of Senior Assistant by order dated 2.3.2009.</p> <p>5. Ld. PO seeks one weeks time to calculate the arrears, payment and increments as per deemed date.</p> <p>6. Ld. Advocate for the applicant submits that there is misinterpretation of the judgment and order dated 13.10.2021 passed by the Tribunal in the above OA and therefore Government has not properly understood the order of the Tribunal and hence there is much difference of the payment. The pay of the applicant is fixed erroneously and he is suffering financial loss.</p> <p>7. S.O. to 27.2.2023.</p> <p style="text-align: right;">Sd/-  ✓  (Mridula Bhatkar, J.)  Chairperson  8.2.2023</p> <p>(sgj)</p>

**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 align="center"><u>O.A. No.1029 of 2022</u></p> <p>P.D. Pagar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>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. Pursuant to order dated 3.2.2023, Ld. CPO informs that she has received instructions that applicant has secured 44 marks and thus has not secured requisite marks and they are less marks than the last recommended candidate, who has secured 50 marks.</p> <p>3. Ld. Advocate for the applicant concedes.</p> <p>4. This is a matter of selection where applicant is required to be interviewed and also appointed. However, in view of the marks secured by the applicant, now nothing remains in the matter. Hence, by consent, OA is dismissed.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1017 of 2021</u></p> <p>C.N. Gawand ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant is personally present in the Court.</p> <p>3. Ld. Advocate for the applicant and Ld. PO both by consent submit that matter be disposed off with directions sitting singly. This matter pertains to Division Bench.</p> <p>4. Ld. PO informs that enquiry is completed and the papers are submitted for final decision. Ld. PO states that Government needs time to take final decision.</p> <p>5. The respondents are directed to take decision within six weeks and applicant may challenge the order subsequently, if aggrieved.</p> <p>6. OA disposed off accordingly.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>C.A. No.40 of 2022 in O.A. No.733 of 2021</u></p> <p>S.P. Kolte <span style="float: right;">..Applicant</span> Vs. The State of Maharashtra &amp; Ors. <span style="float: right;">..Respondents</span></p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for Respondent No.1 and Shri M.D. Lonkar, learned Advocate for Respondent no.2.</p> <p>2. Ld. Advocate for respondent no.2 submits that Ld. Advocate for the applicant has not followed the circular dated 7.11.2017 issued by the Tribunal.</p> <p>3. Ld. Advocate for the applicant submits that notice of 4 weeks is given by the applicant to the contemnor on 21.4.2022. CA is filed on 24.6.2022.</p> <p>4. The notice dated 21.4.2022 pointed out by the Ld. Advocate for the applicant is given to Commissioner (Industries), Industries Directorate, Mumbai and not to Shri Baldev Singh, Principal Secretary, Industries, Energy and Labour Department, who is made party respondent no.1.</p> <p>5. Ld. Advocate for respondent no.2 pointed out that respondent no.2 has filed W.P. No.6177 of 2022 in the Hon'ble High Court and in the said writ petition on 19.5.2022 a statement was made by State in para 1 that petitioner i.e. respondent no.2 shall not be disturbed until further orders from his existing post i.e. General Manager, District Industries Centre, Nashik.</p> <p>6. S.O. to 9.2.2023 at 10.30 a.m.</p> <div style="text-align: right; margin-top: 20px;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> </div> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p style="text-align: center;">O.A.No.146 of 2023</p> <p>C. S. Bhor &amp; Ors. <span style="float: right;">....Applicants</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. This O.A. is filed for grant of next increment due on 1st July to which the Applicant claims to be deprived of because of retirement on 30th June of the concerned year.</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 08.03.2023.</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/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</li> <li>9. S.O. to 08.03.2023.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p>Date : 08.02.2023</p> <p align="center">O.A.No.940 of 2022</p> <p>S. D. Savane <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. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that he is filing Vakalatnama today for the first time to argue the matter.</p> <p>3. The matter is adjourned for final hearing.</p> <p>4. S.O. to 03.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p style="text-align: center;">M. A. No.82 of 2023 in O.A.No.146 of 2023</p> <p>C. S. Bhor &amp; Ors. <span style="float: right;">....Applicants</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. This is an application for leave to sue jointly.</li> <li>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.</li> <li>4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.</li> <li>5. M. A. No.82 /2023 is allowed. No order as to costs.</li> </ol> <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p align="center">O.A.No.836 of 2018</p> <p>Uma K. Survade &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicants and their Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present and pointed out that matter pertains to Division Bench.</p> <p>2. This matter was recently transferred to this Single Bench in view of change of office order dated 22.12.2022.</p> <p>3. The perusal of office order dated 22.12.2022 particularly Item No.3 reveals that subject 'Service Benefit, Pensionary <u>other than Pay Scale</u>' are assigned and transferred to Single Bench. Thus, the subject of Pay Scale is with the Division Bench. Apparently, the office has wrongly transferred this O.A. to Single Bench.</p> <p>4. In O.A., the Applicants are claiming parity of Pay Scale with staff working in the High Court. The Applicants are working on the establishment of Government Pleader, High Court, Mumbai. Their request for pay parity has been rejected by the Government by communication dated 12.03.2009 which is challenged in the present O.A.</p> <p>5. In view of above, the Registrar is directed to place the matter before the Division Bench.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



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	<p>Date : 08.02.2023</p> <p>O.A.No. 880 of 2022</p> <p>N. S. Naik .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</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. The Applicant has challenged the order dated 27.08.2021 whereby his suspension period from 30.12.2014 to 15.07.2018 has been treated as 'suspension as such' for all purposes in view of punishment imposed to him in D.E.</p> <p>3. The Applicant has also challenged the punishment imposing in D.E. by filing another O.A. which is subjudice before this Tribunal. In that O.A., the issue has been raised about maintainability of O.A. without availing remedy of appeal. Even assuming for a moment, that the said O.A. <del>is</del> <sup>is</sup> maintainable without availing remedy of appeal, the fact remains that there is no finality to the order passed in D.E. It is only after exoneration in D.E., the Applicant could claim full pay and allowances for the suspension period. This O.A. is thus premature.</p> <p>4. The submission advanced by learned Counsel for the Applicant that without waiting for the decision of finality to the punishment, this O.A. is maintainable is totally incorrect.</p> <p>5. In view of above, to that extent O.A. will have to be held premature. The Applicant can avail legal remedy about treatment of suspension period only after finality to the order of punishment imposed against him in D.E.</p> <p>6. The Applicant has also prayed for one more relief to quash and set aside the order dated 10.01.2020 whereby leave sanctioned was cancelled to this extent only, O.A. will have to be heard.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.02.2023</p> <p align="right">O.A.No.684 of 2022</p> <p>S. D. Singh <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri G. A. Bandiwadekar , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The matter is already proceeded without reply since the Respondents failed to file reply within time.</li> <li>3. Today, learned P.O. requested for permission to file reply on behalf of Respondent No.1 and 2.</li> <li>4. In the interest of justice, allowed to file the same. It be taken on record.</li> <li>5. On request of learned Counsel, two weeks time is granted to file Rejoinder.</li> <li>6. S.O. to 22.02.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.02.2023</p> <p align="center">O.A.No.350 of 2022</p> <p>Dr. R. H. 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 Prashant Suryawanshi holding for Shri G. M. Savagave, 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, two weeks time is granted to file M.A. for amendment to O.A. and prayer clause since there is no prayer for continuation of benefit of earlier service period as well as in respect of unauthorized leave.</p> <p>3. S.O. to 22.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.02.2023</p> <p align="center">O. A. No. 323 of 2022</p> <p>R. D. Veer &amp; Anr. <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. On 11.01.2023, the Tribunal declined to give further time to file Affidavit in Reply and matter was adjourned today for hearing without reply of the Respondents.</li> <li>3. Today, learned P.O. however requested to file reply on record.</li> <li>4. In the interest of justice, allowed to file reply. It is taken on record.</li> <li>5. On request of learned Counsel for the Applicant, two weeks time is granted to file Rejoinder.</li> <li>6. S.O. to 21.02.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

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	<p>Date : 08.02.2023</p> <p align="center">O.A.No.116 of 2023</p> <p>T. R. Kamble &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted either to file reply or to take remedial measures in view of the order passed by the Tribunal in O.A.No.155/2020 decided with other Original Applications on 18.03.2021.</p> <p>3. S.O. to 15.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.02.2023</p> <p align="center">M. A. No.87 of 2023 in O.A.No.802 of 2021</p> <p>N. B. 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 Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for modification of order dated 29.03.2022 passed by the Tribunal in O.A.No.802/2021.</p> <p>3. Learned P.O. sought time to take instructions from the department.</p> <p>4. S.O. to 09.02.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 08.02.2023
	<p align="center"><b>O.A.No.160 of 2023</b></p> <p><b>N. S. Yeole</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</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. The Applicant has challenged the order dated 03.02.2023 inter-alia contending that he is transferred mid-term and mid-tenure only to favour Respondent No.2 and it is in blatant violation of provisions of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005').</p> <p>3. The Applicant was posted as Chief Officer, Municipal Council, Dindori Nagar Panchayat, Dist. Nashik by order dated 11.08.2020 and was entitled to three years tenure in terms of Section 4(1) of 'Act 2005'. However, by impugned transfer order dated 03.02.2023, he is transferred from Dindori, Dist. Nashik to Faizpur Nagar Parishad, Dist. Jalgaon where Respondent No.2 was working and by another order dated 03.02.2023, the Respondent No.2 was posted in place of Applicant.</p> <p>4. Learned P.O. has made feeble attempt to oppose interim relief inter alia contending that transfer is approved by the Civil Services Board and the competent authority i.e the Hon'ble Chief Minister. She has tendered the file noting for perusal.</p> <p>5. The perusal of file reveals that under the nomenclature of administrative exigency, the Applicant is displaced without assigning any reason. Thus, prima-facie, only to favour the Respondent No.2, the Applicant is unceremoniously shifted from his post.</p> <p align="right">[P.T.O.]</p>



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	<p>6. Now, the transfers are governed by 'Act 2005' and, therefore, there could be no such mid-term and mid-tenure transfer without assigning reasons or explaining what are the administrative exigency.</p> <p>7. Under Section 4(5) of 'Act 2005' transfer is permissible in special case with reasons in writing for such mid-term and mid-tenure transfer which is completely missing in the present case. No reason even for namesake is forthcoming.</p> <p>8. Suffice to say, prima-facie, impugned transfer order is in blatant violation of provision of 'Act 2005' and liable to be stayed.</p> <p>9. In view of above, interim relief as prayed in Para No.10(a) is granted.</p> <p>10. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>11. Issue notice before admission returnable on 08.03.2023.</p> <p>12. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>13. 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>14. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>15. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>16. S.O. to 08.03.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p style="text-align: center;"><u>O.A. No.108 of 2023</u></p> <p>S.D. Londhe &amp; 2 Ors. <span style="float: right;">..Applicants</span>  Vs.  The State of Maharashtra &amp; Ors. <span style="float: right;">..Respondents</span></p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 8.3.2023. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/-  / (Mridula Bhatkar, J.)  Chairperson  8.2.2023</p> <p>(sgj)</p>

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	<p align="center"><u>M.A. No.60 of 2023 in O.A. No.108 of 2023</u></p> <p>S.D. Londhe &amp; 2 Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.30 of 2021 in O.A. No.970 of 2014</u></p> <p>V.D. Shinde ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>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. Ld. CPO seeks time to file short affidavit about eligibility of the applicant.</p> <p>3. S.O. to 22.2.2023.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.157 of 2023</u></p> <p>P.V. Kadam ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant challenges DE initiated against him on 3.7.2019. As per GR dated 7.4.2008 DE is to be completed within one year. Ld. PO informs that enquiry is completed and report is submitted.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 8.3.2023. The respondents are directed to file reply.</p> <p>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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: right;">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.66 of 2023 in O.A. No.118 of 2023</u></p> <p>Minakshi B. Raut (Anarse) ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.A. Kupade, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <ol style="list-style-type: none"> <li>2. MA is filed for condoning delay of 222 days.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission in MA returnable on 1.3.2023. The respondents are directed to file reply.</li> <li>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. 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 <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</li> </ol> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>08.02.2023</u></b></p> <p align="center"><b><u>O.A 22/2023</u></b></p> <p>Shri M.P Bagul ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 &amp; 2 and Ms K.T Pawar, learned counsel for Respondent no. 3.</p> <p>2. Learned C.P.O seeks time to file reply. Last chance is given to the Respondents to file reply.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O to 22.2.2023.</p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</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>08.02.2023</u></b></p> <p align="center"><b><u>O.A 1238/2022</u></b></p> <p>Smt P.V Waghmare ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Amruta Kharade, i/b Talekar &amp; Associates, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that Respondents no 2 &amp; 3 have not filed affidavit in reply. Last chance is given to Respondents no 2 &amp; 3 to file affidavit in reply.</p> <p>3. S.O to 8.3.2023.</p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>



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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 1227/2022</u></b></p> <p>Shri V.V Chandole ... Applicant  Vs.  The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri N.D Pote, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O is directed to file reply by way of last chance.</p> <p>3. S.O to 22.2.2023.</p> <p style="text-align: right;">Sd/- / <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 1204/2022</u></b></p> <p>Shri M.V Haldekar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that reply is ready and is sent for affirmation and the same will be filed within two days.</p> <p>3. S.O to 10.02.2023.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</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, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 1148 &amp; 1149/2022</u></b></p> <p>Shri V.B Yende &amp; Ors Shri M.N Kadam ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri H.M Inamdar, learned advocate for the applicants, Smt K.S Gaikwad, learned P.O for the Respondents no 1 &amp; 2 and Shri A.A Tambe, learned counsel for Respondents no 3 to 8.</p> <p>2. Learned counsel Mr Tamble files affidavit in reply and copy of the same is served to the learned P.O for the Respondents.</p> <p>3. Learned counsel for the applicants submit that one of the applicant has not received salary since December, 2022. Learned counsel is directed to file affidavit for the same.</p> <p>4. S.O to 10.2.2023.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(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><u>08.02.2023</u></b></p> <p><b><u>O.A 192/2022</u></b></p> <p>Shri M.N Shingade ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 22.3.2023.</p> <p style="text-align: right;">Sd/- (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
	<p><b><u>08.02.2023</u></b></p> <p><b><u>C.A 81/2022 in O.A 06/2021</u></b></p> <p>Shri U.R Harmalkar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Sadhna Singh a/w Shri Navin Kumar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The present Contempt Application is filed for not complying with the order dated 18.8.2022 within two months, i.e., on 18.10.2022. It is to be noted that no extension of time is sought by the Respondents for compliance of the order of this Tribunal dated 18.8.2022.</p> <p>3. I have gone through the affidavit in reply dated 7.2.2023 filed by Mr Reddy. The relevant paragraph 11 is reproduced below:- 11. I respectfully say and submit that by the letter dated 15.11.2022 the office of Principal Chief Conservator of Forests (Head of Forest Force), M.S, Nagpur-Respondent no. 3 instructed the Chief Conservator of Forest (T) Kolhapur, Respondent no. 2 <u>to submit a detailed proposal whether Shri Harmalkar's service was to be regularized from 1.11.1994 or not and accordingly submit his own self-explanatory report about</u> to file a Writ Petition in the Hon. High Court of Bombay."</p> <p>4. The submission of seeking opinion from the Deputy Conservator of Forest whether the services is regularized from 1.11.1994 appears contemptuous.</p> <p>5. In para 13 of the affidavit in reply it is mentioned that policy decision of regularization of service of the applicant is to be taken at Government level. After reading para 13 it is understood that the decision is to be taken by the Hon'ble Minister, Revenue &amp; Forest.</p> <p>6. Learned P.O submits that detail proposal is sent to Respondent no. 2, Mr Ramanujam R.M, Chief Conservator of Forest, Kolhapur by Respondent no. 4, Shri S Navkishor Reddy.</p> <p>7. The opinion is given by learned P.O on 6.10.2022 that it is not a fit case to file Writ Petition before the Hon'ble Bombay High Court.</p> <p>8. Mr S. Navkishor Reddy, Deputy Conservator of Forest, Respondent no. 4 is directed to remain present before this Tribunal on the next date along with the affidavit in reply as to why he did not send the proposal immediately on 7.10.2022 after receiving the opinion from the learned P.O. So also explanation is to be given as to why the Respondents have not filed application for extension of time for compliance of the order of this Tribunal.</p> <p>9. S.O to 15.2.2023.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
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(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><u>08.02.2023</u></b></p> <p><b><u>O.A 346/2022</u></b></p> <p>Shri S.W Shinde ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri N.M Pujari, learned advocate for the applicant, Mrs K.S Gaikwad, learned P.O for the Respondents no 1 to 4 and Shri R.V Shinde, learned counsel for Respondents no 5 to 9.</p> <p>2. Learned counsel for the applicant seeks time to file rejoinder.</p> <p>3. S.O to 15.2.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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<p align="center">Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p align="center"><b>08.02.2023</b> Tribunal's orders</p>
	<p align="center"><b><u>O.A 719/2018</u></b></p> <p>Dr M.A Jadhav ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is granted time to file affidavit in reply by way of last chance.</p> <p>3. S.O to 22.2.2023.</p> <p align="right">Sd/-</p> <p align="right"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 666/2022</u></b></p> <p>Shri S.M.K Kazi ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Gargi Warunjikar i/b Shri Nitesh Bhutekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 22.3.2023.</p> <p>Sd/-</p> <p><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(Advocate .....)

*versus*

The State of Maharashtra and others

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	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 722/2022</u></b></p> <p>Dr A.S Reddy ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Savita Suryavanshi, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is directed to file affidavit in reply by way of last chance.</p> <p>3. S.O to 8.3.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(Advocate .....)

*versus*

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 871/2021</u></b></p> <p>Smt V.T Jadhav ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Savita Suryavanshi, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is directed to file affidavit in reply by way of last chance.</p> <p>3. S.O to 8.3.2023. Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 896/2022</u></b></p> <p>Smt Sujata Supnekar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Kaustubh Gidh, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is directed to file affidavit in reply by way of last chance.</p> <p>3. S.O to 15.2.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 922/2022</u></b></p> <p>Shri K.A Jadhav &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Ganesh Masurkar i/b Shri C.T Chandratre, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is directed to file affidavit in reply by way of last chance.</p> <p>3. S.O to 8.3.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>



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	<p align="center"><u>M.A. No.88 of 2023 in O.A. No.156 of 2023</u></p> <p>Vinod J. Mali &amp; Anr. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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(Advocate .....)

*versus*

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.02.2023</u></b></p> <p><b><u>O.A 1051/2022</u></b></p> <p>Shri D.J Ambilwade ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is directed to file affidavit in reply by way of last chance.</p> <p>3. S.O to 8.3.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><u>O.A 719/2018</u></p> <p>Dr M.A Jadhav ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is granted time to file affidavit in reply by way of last chance.</p> <p>3. S.O to 22.2.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>



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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <b>08.02.2023</b>
	<p style="text-align: center;"><b><u>M.A 65/2023 in O.A 24/2023</u></b></p> <p>Shri C.B Khatke ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri C.K Bhangoji, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that copy is not served on the Respondents-Department.</p> <p>3. Learned counsel for the applicant is directed to serve copy of the Application on all the Respondents.</p> <p>4. S.O 22.2.2023. <span style="float: right;">Sd/-</span></p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</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><b><u>08.02.2023</u></b></p> <p><b><u>O.A 719/2018</u></b></p> <p>Dr M.A Jadhav ... Applicant  Vs.  The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is granted time to file affidavit in reply by way of last chance.</p> <p>3. S.O to 22.2.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>08.02.2023</b> <b>Tribunal's orders</b> <b><u>O.A 1032/2021</u></b></p>
	<p>Shri A.L Jagtap ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Kaustubh Gidh, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that she has not received instructions in the matter and hence reply is not filed.</p> <p>3. If reply is not filed before next date, the matter will be heard at the stage of admission as the case pertains to the selection process.</p> <p>4. S.O to 9.3.2023.</p> <p style="text-align: right;">Sd/-  <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>O.A. No.156 of 2023</u>
	Vinod J. Mali & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents
	<p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants who are working as Office Superintendent and Deputy Accountant respectively in the office of Project Officer, Integrated Tribal Development Project Office, Mumbai and Jawhar respectively are challenging the orders dated 30.1.2023 passed by respondent no.1 terminating their services. The applicants also pray that respondents be directed to pay Rs.25,00,000/- (Rupees twenty five lakhs only) as compensation to each of the applicants.</p> <p>3. Ld. Advocate for the applicants submits that services of the applicants are terminated on the ground that their appointments were not made as per roster. Ld. Advocate submits that both the applicants have submitted their caste verification certificate.</p> <p>4. Ld. Advocate for the applicants submits that applicant no.1 has joined service on 13.1.2015 and applicant no.2 has joined service on 17.1.2015. Both the applicants have joined service pursuant to advertisement dated 19.2.2014 for 16 posts. Ld. Advocate submits that applicants have cleared the examination and their names appeared in the merit list as they were found eligible. Applicant no.1 was appointed in OBC category and applicant no.2 was appointed in NT-B category. It is further submitted that their probation period was completed on 26.3.2019 and 10.11.2017 respectively. The applicant no.1 passed departmental examination on 23.10.2018 and his services were made permanent by issuing order dated 27.6.2019. The applicant no.1 was promoted to the post of Office Superintendent on 17.5.2021.</p> <p>5. Ld. Advocate for the applicants submits that no notice was given to the applicants. The applicants have not played any fraud and there was no fault of the applicant in the appointment process. Thus, the termination orders are illegal and they are to be stayed.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Considering the procedure followed by the State, it is completely violative of Article 311(2) of the Constitution and principles of natural justice.</p> <p>7. Deputy Secretary, Tribal Development Department, Mantralaya and Shri Pavan Kumar Bandgar, Desk Officer, Tribal Development Department, Mantralaya are directed to remain present at 1.00 p.m.</p> <p>8. Later on at 1.00 p.m. both the officers are present in the Court and they inform that no notice was given to the applicants because there was no disciplinary enquiry against the applicants and therefore the department thought that notice is not required. As observed above, the termination order is against the principles of natural justice and is passed after 8 years of their regular service.</p> <p>9. <u>Hence, the Respondents are directed to reinstate the Applicants forthwith till tomorrow i.e. 9.2.2023.</u></p> <p>10. Issue notice before admission returnable on 22.2.2023. The respondents are directed to file short reply.</p> <p>11. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>12. This intimation/notice is ordered under Rule 11 of Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and questions such as limitation &amp; alternate remedy are kept open.</p> <p>13. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>14. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 8.2.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.109 of 2023</u></p> <p>A.A. Mohite ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Prashant R. Suryawanshi holding for Shri G.M. Savagave, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant who is working as a Medical Officer, Class-II, Rural Hospital, Belanki, Taluka Miraj, District Sangli is challenging the order dated 23.2.2022 passed by respondent no.5 cancelling the temporary promotion given to the applicant by order dated 23.7.2020 as the applicant has refused promotion for personal and family reasons.</p> <p>3. The applicant prays that his representation dated 23.8.2022 is not yet decided by respondent no.3 and that is to be decided.</p> <p>4. In view of the prayer clause 9(b), <u>we direct respondent no.3 to take a decision on the representation dated 23.8.2022 within three weeks, as the applicant is going to retire on 31.5.2023.</u></p> <p>5. The applicant is directed to file affidavit of service on all the respondents. After service, respondent no.3 is directed to decide the representation within three weeks.</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 15.3.2023. The respondents are directed to file reply.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book</p>

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

Tribunal's orders

of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

11. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

12. S.O. to 15.3.2023.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
8.2.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p align="center">O.A.No.1157 of 2022</p> <p>D. V. Suradkar <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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted to file reply.</p> <p>3. This O.A. be kept along with connected O.A.No.1156 of 2022.</p> <p>4. S.O. to 15.02.2023.</p> <p>5. <i>Learned counsel for applicant has filed rejoinder. It is taken on record Sd/-</i></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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p>O.A.No.38 of 2023</p> <p>S. S. Kadam .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt.Kranti Gaiwad, 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 22.02.2023.</p> <p style="text-align: right;">   Sd/-  v  (A.P. Kurhekar)  Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p>O.A.No. 1253 of 2022 with O.A.04 of 2023 with O.A.37 of 2023 with O.A.43 of 2023</p> <p>A. K. Agale &amp; Ors. D. D. Jagtap &amp; Ors. S. R. Kudale S. B. Mosamkar</p> <p align="right">....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors.      ...Respondents.</p> <p>1. Heard Shri U, V, Bhosale, Shri M. D. Lonkar, Shri R. R. Asawa and Shri R. L. Kulkarni, learned Counsels for the Applicants and Smt. Archana B. K. with Smt. Kranti Gaikwad, learned Presenting Officers for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondents in O.A.No.1253/2022. It is taken on record.</p> <p>3. Learned P.O. sought two weeks time to file reply in remaining Original Applications.</p> <p>4. S.O. to 08.03.2023.</p> <p align="right">Sd/- (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 : 08.02.2023

M. A. No.79 of 2023 in O.A.No.140 of 2023

Dr. M. G. Khan ....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. This M.A. is filed for condonation of 19 years delay caused in filing O.A. for grant of retiral benefits.
3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 08.03.2023.
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.
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. 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.
8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.

9. S.O. to 08.03.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p align="center">M. A. No.163 of 2022 in O.A.No.286 of 2022</p> <p>M. H. I. Shaikh <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned Counsel for the Applicant has filed Rejoinder in M.A. It is taken on record.</li> <li>3. In O.A. the Applicant has challenged the order dated 05.09.2019 whereby Applicant's request for voluntary retirement has been accepted w.e.f. 30.09.2009.</li> <li>4. Learned Counsel for the Applicant however sought to contend that Applicant has acquired disability during the service period and was entitled to protection under the provision of the Persons with Disabilities (Equal Opportunity, etc.) Act, 1995 and judgment of the Hon'ble Supreme Court in <b>(2003) 4 SCC 524 Kunal Singh V/s Union of India &amp; Anr..</b> According to him, the Applicant was compelled to submit voluntary resignation letter, though in law, he was entitled to protect his service. Thus, according to him, it is continuous recurring cause of action and impugned action of the Respondent is per say illegal.</li> <li>5. In view of above, M.A. for condonation of delay needs to be considered along with O.A. on merit.</li> <li>6. Three weeks time is granted to learned P.O. to file reply in O.A.</li> <li>7. S.O. to 02.03.2023.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="right">[P.T.O.]</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p align="center">O.A.No.152 of 2023</p> <p>M. T. Kadam <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 Shr U. V. Bhosale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for interest on belated payment of retiral benefits.</p> <p>3. The perusal of O.A. reveals that O.A. is not filed within one year from the date of receipt of payment of retiral benefits.</p> <p>4. Two weeks time is granted to file M.A. for condonation of delay.</p> <p>5. If M.A. is filed within two weeks, O.A. be listed for admission failing to which the O.A. stands dismissed without reference to the Tribunal.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p align="center">O.A.No.302 of 2022</p> <p>J. A. Magar &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri Ganesh Masurkar holding for Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned P.O. holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. This O.A. is transferred to this bench from the Division Bench in view of change in office order.</li> <li>3. The perusal of record reveals that the Division Bench condoned the delay on 11.04.2022 but no reply is filed though enough time is availed.</li> <li>4. The O.A. pertains to grant of ACPS. Since enough time is availed, I am not inclined to grant further time.</li> <li>5. O.A. be kept for hearing without reply.</li> <li>6. S.O. to 02.03.2023.</li> </ol> <p align="right">Sd/- (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 : 08.02.2023</p> <p>O.A.No.1326 of 2022</p> <p>T. S. Gite .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. A. C. Kaladharan , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged communication dated 25.11.2022 whereby his claim for compassionate appointment <sup>is rejected</sup> on the ground of 3rd child in the family born after cutoff date.</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 08.03.2023.</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/ <u>Miscellaneous</u> 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 / <u>Miscellaneous</u> Application shall stand dismissed.</li> <li>9. S.O. to 08.03.2023.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p align="center">M. A. No.84 od 2023 in O.A.No.1136 of 2022 with O.A.No.1137 of 2022</p> <p>Dr. A. A. Upadhyay Dr. P. A. Meshram <span style="float: right;">....Applicants</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri V. P. Potbhare, learned Counsel for the Applicants, Smt. Kranti Gaikwad holding for Smt. Archana B. K., learned Presenting Officer for the Respondent No.s.1 to 3 and Ms Komal Bhoir holding for Smt. A. Gaikwad, learned Counsel for the Respondent Nos. 4 and 5.</p> <p>2. This M.A. is filed to amend the O.A. as well as prayer so as to challenge the order dated 18.01.2023 issued by the department during the pendency of O.A. whereby recovery of Rs.6,50,696/- is sought. Till the date of filing of O.A., there was no specific order of recovery. Thus it being subsequent development, the amendment deserves to be allowed.</p> <p>3. Misc. Application is accordingly allowed. The amendment be carried out within a week.</p> <p>4 Three weeks' time is granted to learned P.O. to file reply to O.A. inclusive of amendment.</p> <p>5. In O.A.1137/2022 also three weeks time is granted to file reply.</p> <p>6. S.O. to 03.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</p> <p>O.A.No.1056 of 2022</p> <p>T. S. Mullani ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., two days time is granted to file reply.</p> <p>3. S.O. to 10.02.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.02.2023</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. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri D. B. Khaire holding for Shri A. U. Pawar , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned Counsel for the Applicant has filed Affidavit in Rejoinder. It is taken on record.</li> <li>3. On request of learned P.O., the matter is adjourned to 09.02.2023 for hearing.</li> <li>4. S.O.to 09.02.2023.</li> </ol> <p align="right">           Sd/-            (A.P. Kurhekar)            Member(J)         </p> <p>vsm</p>