

# 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 style="text-align: center;"><u><b>O.A.460/2020</b></u></p> <p><b>Shri D.J. Ambilwade</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Applicant in person and learned C.P.O. for Respondents.</p> <p>2. In the present O.A, the Applicant has challenged the initiation of D.Es which were started against the Applicant by charge-sheet dated 21.09.2017 and by charge-sheet dated 21.02.2018 under Rule 8 of M.C.S. (Discipline &amp; Appeal) Rules, 1979 (hereinafter referred to as 'Rules of 1979').</p> <p>3. The Applicant stands retired on 31.10.2018 and DEs were continued. Since those were not completed expeditiously, the Applicant has filed the present O.A. in 2020.</p> <p>4. Today, when the matter is taken up for final hearing, the Applicant in person fairly stated that directions be given to the Respondents to pass final order in DEs expeditiously so that he could get his remaining retiral benefits, which are held-up due to pendency of DEs.</p> <p>5. Insofar as DE initiated by charge-sheet dated 21.09.2017 is concerned, the perusal of record reveals that Enquiry Officer has submitted report on 26.04.2022, but thereafter, no further step is taken to pass final order in DE and the matter is pending at the level of disciplinary authority. Indeed, on receipt of DE Officer, further steps ought to have been taken expeditiously in terms of Rule 9 of 'Rules of 1979'. However, no such step is taken.</p> <p>6. As regard enquiry initiated by charge-sheet dated 21.02.2018, the Enquiry Officer has submitted report on 28.10.2021 and the report was served upon the Applicant calling his explanation. The explanation of the Applicant is received on 05.04.2022. Thereafter, no further step is taken which was required to be taken in terms of Rule 9 of 'Rules of 1979'.</p>

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	<p>7. Material to note that, charge-sheets were issued on 21.09.2017 and 21.02.2018s and Applicant stands retired on 31.10.2018. In first enquiry, report was submitted by Enquiry Officer after almost 5 years from initiation of DE. Whereas, in second enquiry initiated by charge-sheet dated 21.02.2018, the Enquiry Officer has submitted report after 3 years. As such, there is inordinate delay in completing DEs. Indeed, Government by Circular dated 07.04.2008 issued specific instruction for completion of DE expeditiously latest within 6 months from the date of issuance of charge-sheet. The Circular further stipulates that where DE is not completed within period of one year, the extension for completion of DE is required to be sought from the competent authority. It further says that where DE is not initiated within 5 years, in that event, enquiry has to be conducted to fix the responsibility upon the person who is responsible for delay in completion of DE. As such, exhaustive instructions have been issued by Government for expeditious completion of DE so that fate of a Government servant is not be kept in abeyance for a long time. Particularly, when DE is spilled over after retirement, in that event, utmost expeditious step is required to be taken for completion of the same. However, regret to note that no such expeditious step is taken in the matter and inordinate and unexplained delay is obvious.</p> <p>8. In view of above, the Tribunal now hope and believe that Respondents would take expeditious steps without any loss of time to take final decision in DE.</p> <p>9. Learned CPC submits that MPSC has to be consulted before passing final order and reasonable time should be granted.</p> <p>10. In view of above, in our considered opinion, 2 months' time will be enough to take further steps in the matter and to pass final order in accordance to law. However, learned CPO requested for 10 weeks' time for passing final order.</p> <p>11. O.A. is accordingly disposed of with direction to the Respondents to take further steps expeditiously and to complete DE by passing final order therein within 10 weeks from today in accordance to law.</p> <p>12. The decision, as the case may be, shall be communicated to the Applicant within 2 weeks from the date of final decision.</p> <p>13. No order as to costs.</p> <p style="text-align: center;">Sd/- <span style="float: right;">R 26</span></p> <p style="text-align: center;"><b>(Bijay Kumar)</b> <span style="float: right;"><b>(A.P. Kurhekar)</b></span>  <b>Member-A</b> <span style="float: right;"><b>Member-J</b></span>  <b>08.06.2022</b> <span style="float: right;"><b>08.06.2022</b></span></p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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: 08.06.2022</p> <p align="center"><b>C.A. No.16 of 2018 in O.A. No.670 of 2016</b></p> <p>Dr. C.G. Gaikwad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned C.P.O. has filed Affidavit-in-Reply on behalf of Dr. M. Neelima Kerketta, Principal Secretary, Public Health Department, Mantralaya, Mumbai. In Affidavit she has stated that disobedience is not willful. In Para.4 of the Affidavit-in-Reply it is further stated that Government is willing to implement the order of Hon'ble Tribunal dated 23.03.2017 subject to the order of Hon'ble High Court in W.P. In Affidavit she tendered unconditional apology for the delay caused in the matter.</p> <p>3. Thus, from Affidavit-in-Reply filed today it is apparent that Government is taking necessary steps to implement the order passed by this Tribunal subject to the order of Hon'ble High Court in W.P. It being so, request of the learned C.P.O. for some reasonable time is just and fair.</p> <p>4. Three weeks time is granted to take necessary steps in the matter.</p> <p>5. S.O. to 29.06.2022.</p> <p align="center">Sd/- (Bijay Kumar) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN <span style="float: right;">[P.T.O.]</span></p>

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(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p><b>Date : 08.06.2022</b></p> <p><b>O.A.No.938 of 2021</b></p> <p>D.B. Vaishnav .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.D. Patil, learned Advocate holding for Mr. A.A. Desai, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents files affidavit-in-reply. Taken on record. Copy is served upon learned Advocate for the Applicant.</p> <p>3. Admitted with liberty to file rejoinder, if any.</p> <p>4. Adjourned to 22.06.2022 for hearing on the point of interim relief.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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directions and Registrar's orders

Tribunal's orders

Date : 08.06.2022

**O.A.No.382 of 2016  
(O.A.153/2016 at Aurangabad)**

Shaikh A.A. ....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant prays that his representation for promotion from the post of Assistant Conservator of Forest to the post of Deputy Conservator of Forest be considered. The case of the Applicant for promotion was not considered in the first DPC meeting which was held on 28.04.2014 due to adverse remarks in the ACR of the Applicant. The said adverse remarks were communicated to him on 30.09.2013 and he sought for supplementary information and that was given to him to 17.09.2014. The next D.P.C. meeting was held on 03.08.2015 and the Applicant's case was placed before the said DPC meeting for promotion. In view of adverse remarks in ACR, pending appeal and pending D.E. he was not considered for promotion.

3. Learned Advocate further submits that thereafter Applicant filed an exhaustive representation on 22.12.2015 to the Secretary, Forest Department and the same is pending. The Applicant retired on 31.05.2019. Learned Advocate further prays that his representation for promotion should be considered.

[P.T.O.]

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4. Learned C.P.O. states that the Applicant's ACRs did not reach the bench mark required for promotion to the post of Deputy Conservator of Forest in the DPC meeting held on 28.04.2014. The adverse remarks of the applicant for the year 2011-12 was communicated to the applicant on 04.08.2012. The Applicant filed representation against the said adverse remarks on 21.04.2013. However, the representation was rejected and the decision was communicated to the applicant on 30.07.2014. Similarly the adverse remarks for the year 2012-13 were communicated to the applicant on 17.09.2013 and the representation against the adverse remarks made by the applicant on 15.04.2014 was also rejected on 23.11.2015.

5. In view of the facts we dispose of the matter with direction to the Respondent No.1 to take appropriate decision on the representation of the applicant dated 22.12.2015 within the period of 3 months and communicate the same to the applicant forthwith.

6. In view of above, O.A. is disposed of.

Sd/-

(Medha Gadgil)  
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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	<p><b>Date: 08.06.2022</b></p> <p style="text-align: center;"><b>C.A. No.16 of 2018 in O.A. No.670 of 2016</b></p> <p><b>Dr. C.G. Gaikwad</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. Today learned C.P.O. has filed Affidavit-in-Reply on behalf of Dr. M. Neelima Kerketta, Principal Secretary, Public Health Department, Mantralaya, Mumbai. In Affidavit she has stated that disobedience is not willful. In Para.4 of the Affidavit-in-Reply it is further stated that Government is willing to implement the order of Hon'ble Tribunal dated 23.03.2017 subject to the order of Hon'ble High Court in W.P. In Affidavit she tendered unconditional apology for the delay caused in the matter.</li> <li>3. Thus, from Affidavit-in-Reply filed today it is apparent that Government is taking necessary steps to implement the order passed by this Tribunal subject to the order of Hon'ble High Court in W.P. It being so, request of the learned C.P.O. for some reasonable time is just and fair.</li> <li>4. Three weeks time is granted to take necessary steps in the matter.</li> <li>5. S.O. to 29.06.2022.</li> </ol> <p style="text-align: center;"> <span style="margin-right: 100px;">Sd/- (Bijay Kumar) Member (A)</span> <span>Sd/- (A.P. Kurhekar) Member (J)</span> </p>
NMN	[P.T.O.]

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	<p align="center"><b><u>08.06.2022</u></b></p> <p align="center"><b><u>M.A 278/2022 in O.A 265/2016</u></b></p> <p>Shri P.J Ganjale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The present Misc Application is filed seeking amendment in the Original Application as per the schedule-A.</p> <p>3. Misc Application seeking amendment allowed. Applicant to amend the Original Application within two weeks and the amended copy to be served on the Respondents and the Respondents can file affidavit in reply to that effect.</p> <p>4. Original Application No. 265/2016 to be placed on Board on 29.6.2022.</p> <p align="right">Sd/- J (Mridula Bhatkar, J.) Chairperson</p> <p>Akt:</p>

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	<u>08.06.2022</u>
	<u>O.A 522/2022</u>
	<p>Shri S.G. Momin ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that the applicant who is working as a Forest Guard, Group-C in Junnar Forest Division is transferred as Forest Guard, Social Forestry Range Madha, Solapur Social Forestry, Solapur by order dated 20.5.2022.</p> <p>3. Learned counsel for the applicant challenges the said transfer order on following grounds:-</p> <p>(a) The applicant has worked in difficult area and therefore he is to be given posting of his preference as per G.R dated 9.4.2018.</p> <p>(b) The applicant has given 10 places of choice posting. However, none of them is considered.]</p> <p>(c) There are three vacant posts in Junnar Taluka, wherein the applicant can be accommodated.</p> <p>4. Learned P.O for the Respondents submits that the applicant has already been relieved on 3.6.2022 and the post is filled in by appointing one Mrs Ashwini Raut.</p> <p>5. Learned counsel for the applicant submitted that there are three vacant posts in Junnar Division, wherein the applicant and Mrs Ashwini Raut can be accommodated. Learned counsel further submits that some other Forest Guards though have completed six years in Junnar Division were not transferred and their options were considered. He, therefore, contended that discrimination is done against the applicant.</p> <p>6. Learned P.O submits that as per G.R dated 27.5.2022 the transfer orders cannot be passed after the said date. However, the transfer orders which were issued prior to 27.6.2022 can be implemented even after 27.5.2022. As the transfer order of the applicant was issued on 20.5.2022, by way of implementing the earlier</p>

[P.T.O.]

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	<p>order, the applicant was relieved on 3.6.2022. Therefore, there is no illegality in the said order.</p> <p>7. The G.R dated 27.5.2022 does not say that the earlier transfer orders for the Financial Year 2022-23 which were issued prior to the said G.R are cancelled. Therefore, it appears that the order was implemented.</p> <p>8. Learned P.O is directed to take instructions as to how many posts are vacant in Junnar Division. Further learned P.O is also directed to take instructions on the point of discrimination raised by the applicant as to whether the Forest Guards who were working at Junnar Division for more than 6 years are transferred or whether they are transferred only in Junnar Division.</p> <p>9. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>10. Issue notice before admission returnable on 10.6.2022.</p> <p>11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>12. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</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 view of the above, status quo to be maintained till next date.</p> <p>15. S.O to 10.6.2022.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</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 style="text-align: center;"><b><u>08.06.2022</u></b></p> <p style="text-align: center;"><b><u>O.A 521/2022</u></b></p> <p>Shri D.K Doke ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</li> <li>2. Learned counsel for the applicant states that the applicant, who is working as a Forest Guard, Group-C, is transferred by order dated 20.5.2022 from Godhare Forest Range, Junnar Forest Division, Pune to the post of Forest Guard, Solapur Social Forestry, Malshiras, Dist-Solapur.</li> <li>3. Learned counsel for the applicant challenges the said transfer order on following grounds:-             <ol style="list-style-type: none"> <li>(a) The applicant has worked in difficult area and therefore he is to be given posting of his preference as per G.R dated 9.4.2018.</li> <li>(b) The applicant has given 10 places of choice posting. However, none of them is considered.]</li> <li>(c) In all there are six vacant posts in Junnar Taluka.</li> </ol> </li> <li>4. Learned P.O points out that in the preferences, the applicant has given all the 10 options from Junnar Taluka only and as per the requirement and necessity of the other places the applicant is transferred to Malshiras, Dist-Solapur.</li> <li>5. Learned P.O further submits that no interim relief is required as no transfer orders are going to be implemented as per the earlier decision of the Government dated 27.5.2022 till 30.6.2022.</li> <li>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>7. Issue notice before admission returnable on 29.6.2022.</li> <li>8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete <del>pp</del></li> </ol>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

11. In view of the above, status quo to be maintained till next date.

12. S.O to 29.6.2022.

Sd/-

/ (Mridula Bhatkar, J.)  
Chairperson

Akn

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<u>08.06.2022</u>  Tribunal's orders <u>M.A 73/2022 in M.A 225/2022 in O.A 738/2018</u>
	<p>C.V Patil ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Two Misc Application is filed, one for amendment and other seeking condonation of delay in filing the O.A.</p> <p>3. Learned counsel for the applicant submits that the cause of action arose on 5.1.2016 and the Original Application is filed on 10.8.2018. Thus, there is a delay of 2 years in filing the Original Application.</p> <p>4. Learned P.O seeks time to file affidavit in reply. Two weeks' time is granted to the learned P.O to file reply.</p> <p>5. S.O to 22.6.2022.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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Tribunal's orders

08.06.2022

M.A 124/2022 in O.A 844/2021

Shri C.S Lokhande ... Applicant


Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.
2. Learned counsel for the applicant has filed the present Misc Application seeking condonation of delay of 13 months and 15 days in filing the Original Application.
3. Learned counsel submits that the applicant retired on 31.7.2017 and he waited for 6 months to receive all the pensionary benefits. Learned counsel for the applicant further submitted that on 24.1.2019 the Respondents submitted proposal for provision pension etc and he waited for 6 months to receive the same. Thereafter the applicant waited for one year i.e. up to July, 2020. In the meantime, there had been outbreak of COVID-19 Pandemic and lock down was imposed w.e.f 15.3.2020 and the same is still not fully withdrawn. The applicant submitted representation on 20.9.2019 and then on 13.10.2021 but the same did not evoke any response.
4. Learned counsel for the applicant submits that it is recurring cause of action as the relief prayed is in respect of pensionary and other pensionary benefits. The applicant has not been given pensionary benefits though he retired in July,2017.
5. Learned P.O submits that there is a recovery of around Rs. 16 to 17 lakhs from the applicant for his misconduct and the applicant has admitted his mistake. Therefore, the Government has recovered the said amount. Learned P.O opposes the Misc Application seeking condonation of delay.
6. In view of the fact that payment of Pension and other pensionary dues is recurring cause of action, the Misc Application seeking condonation of delay is condoned.
7. Misc Application 124/2022 is allowed.
8. Learned counsel for the applicant submits that O.A 433/2022 is filed by the applicant against the recovery order and is placed before the Single Bench, presided over by Member (A).
9. Learned P.O states that the present Original Application be tagged with O.A 433/2022 and placed before the Single Bench presided over by Member (A).
10. O.A 844/2021 and O.A 433/2022 be tagged together and placed before the Single Bench presided over by Member (A) on 29.6.2022.
11. S.O to 29.6.2022.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.06.2022</p> <p style="text-align: center;"><b>O.A. No.913 of 2017</b></p> <p><b>B.V. Birajdar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri R. Hakepatil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order of dismissal from service dated 25.04.2016 whereby he came to be dismissed in view of conviction in Special Case (ACB) No.05/2009 by judgment dated 30.01.2016.</p> <p>3. The Applicant was prosecuted in Special Case No.05/2009 and convicted for offence under Section 7 of Prevention of Corruption Act and was sentenced to undergo rigorous imprisonment for six months and to pay fine of Rs.500/- (Rs. Five Hundred Only) in default rigorous imprisonment for one month. He was also convicted for the offence under Section 13(1)(d) of Prevention of Corruption Act and sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs.1,000/- (Rs. One Thousand Only) in default rigorous imprisonment for two months. It is in view of his conviction in criminal case he came to be dismissed from service invoking provision of M.C.S. (Discipline &amp; Appeal) Rules, 1979. The Applicant has challenged conviction by filing criminal case which is subjudice before Hon'ble High Court.</p> <p>4. When specific query was raised to learned Advocate for the Applicant about the maintainability of the O.A. he fairly stated that <sup>only</sup> <del>one</del> sentenced is suspended and there is no stay to the conviction. As such, conviction still subsists, this being the position the O.A. is premature.</p> <p>5. In view of above, O.A. being premature it is disposed of with no order as to costs.</p> <p>6. It is only in the Case of acquittal in criminal appeal the Applicant can avail further legal remedy in accordance to law.</p> <p style="text-align: center;">Sd/-  <b>(Bijay Kumar)</b>  <b>Member (A)</b></p> <p style="text-align: center;">Sd/-    <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.06.2022</p> <p>O.A. No.637 of 2017</p> <p>B.K. Khnadekar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R. Hakepatil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In the present O.A. the Applicant has challenged order of dismissal from service dated 11.05.2017 in view of conviction in criminal case.</p> <p>3. Perusal of record reveals that the Applicant was prosecuted in Special Case (ACB) No.09 of 2011 and sentenced to suffer Rigorous Imprisonment of One year, and to pay a fine of Rs.3,000/- (Rs. Three Thousand Only) in default, to suffer R.1 for one month for the offence under section 7 of Prevention of Corruption Act and also sentenced to suffer one year R.1 and fine of Rs.3,000/- (Rs. Three Thousand Only) for the offence under 13 (2) of Prevention of Corruption Act, 1988. In view of conviction the Applicant came to be dismissed from service invoking provisions of M.C.S. (Discipline &amp; Appeal) Rules, 1979.</p> <p>4. When specific query was raised to learned Advocate for the Applicant, he states that the Applicant has already filed criminal appeal before Hon'ble High Court and it is subjudice. As such, since he is dismissed in view of conviction this O.A. is pre-mature mere suspension of sentence in criminal appeal does not matter. Order of conviction is in subsistence, and O.A. is premature. O.A. is therefore disposed of with no order as to costs.</p> <p>5. It is only in the Case of acquittal in criminal appeal the Applicant can avail further legal remedy in accordance to law.</p> <p style="text-align: center;">Sd/- (Bijay Kumar) Member (A)</p> <p style="text-align: center;">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

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><b>Date: 08.06.2022</b></p> <p><b>O.A. No.999 of 2016</b></p> <p><b>R.S. Patil .....Applicant</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant has challenged departmental proceeding initiated by charge-sheet dated 13.08.2004 modified by further charge-sheet dated 29.11.2004, and further modified by charge-sheet dated 09.02.2009. Since, there was no stay to the continuation of D.E., in the mean time D.E. is already completed and the Applicant is subjected to the punishment.</p> <p>3. Learned Advocate for the Applicant fairly stated that D.E. is completed and Applicant is subjected to punishment of compulsory retirement. He further states that the Applicant has already challenged the said punishment by filing separate O.A.</p> <p>4. As such, since D.E. is already culminated into final order of punishment which is under challenge in separate O.A. this O.A. has become infructuous.</p> <p>5. O.A. is disposed of with no order as to costs.</p> <p style="text-align: center;">Sd/- <span style="margin-left: 200px;">L</span> Sd/-  <b>(Bijay Kumar)</b> <span style="margin-left: 200px;"><b>(A.P. Kurhekar)</b></span>  <b>Member (A)</b> <span style="margin-left: 200px;"><b>Member (J)</b></span></p>
	<p>NMN</p> <p style="text-align: right;"><i>[P.T.O.]</i></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
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Date: 08.06.2022

O.A. No.974 of 2017

R.S. Patil .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. In the present O.A. the Applicant has challenged D.E. initiated by charge-sheet dated 08.07.2016. Today, learned Advocate for the Applicant has tendered copy of order dated 20.10.2021 passed by Government to show that D.E. is already completed and the Applicant is exonerated from the charges. Copy of order is taken on record and marked by letter 'A' for identification.

3. In view of above, O.A. has become infructuous and it is disposed of with no order as to costs.

Sd/-  
(Bijay Kumar)  
Member (A)

Sd/-  
(A.P. Kurhekar)  
Member (J)

NMN

**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: 08.06.2022</p> <p>O.A. No.476 of 2019</p> <p>M.B. Sonawane .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"><li>1. Applicant and his Advocate both are absent.</li><li>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li><li>3. Learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent Nos.1 to 3. It is taken on record.</li><li>4. Learned P.O. is directed to appraise the Tribunal about the status of D.E. by next date.</li><li>5. Adjourned for Final Hearing on 29.06.2022.</li></ol> <p>Sd/- (Bijay Kumar) Member (A)</p> <p>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

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: 08.06.2022</p> <p>O.A. No.702 of 2019</p> <p>D.B. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.1. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant adjourned for Final hearing.</p> <p>4. S.O. to 29.06.2022.</p> <p>Sd/- 2 Sd/- (Bijay Kumar) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</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"><u>O.A. No.662 of 2021</u></p> <p>M.B. Patil ..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. Ld. PO files sur-rejoinder dated 16.3.2022 on behalf of respondents no.1 &amp; 2 and the same is taken on record.</p> <p>3. S.O. to 6.7.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 8.6.2022</p> <p>(sgj)</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
	<p align="center"><u>O.A. No.974 of 2021</u></p> <p>S.B. Zaware ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Shantanu Raktate, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply will be filed during the course of the day.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder, if any.</p> <p>4. S.O. to 22.6.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 8.6.2022</p> <p>(sgj)</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
	<p align="center"><u>O.A. No.433 of 2022</u></p> <p>C.S. Lokhande ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 29.6.2022. Interim relief to continue.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 8.6.2022</p> <p>(sgj)</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"><u>M.A. No.48/2022 in O.A. No.7 of 2022 with M.A. No.49/2022 in O.A. No.8 of 2022 and M.A. No.50/2022 in O.A. No.9 of 2022</u></p> <p>V.S. Kankare N.B. Patil V.V. Jagtap ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p align="center">Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants seeks permission to withdraw the above MAs filed for amendment.</p> <p>3. MAs are allowed to be withdrawn.</p> <p>4. OAs are adjourned to 29.6.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 8.6.2022</p> <p>(sgj)</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"><u>O.A. No.846 of 2021</u></p> <p>Late Mrs. Kalavati D. Likhar Since deceased by her L.R. Mr. Dhanaraj D. Likhar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Savita Suryawanshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 29.6.2022 for final hearing with liberty to file rejoinder, if any.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 8.6.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>08.06.2022</u></p> <p><b><u>O.A 1029/2016</u></b></p> <p>Maharashtra Rajya Padvidhar Prathmik Sikshan Va Kendrapramukh Sabha &amp; Ors ... Applicants</p> <p>Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Today the matter is taken on Board after long time. Neither the learned advocate for the applicant nor the applicant is present. However, cell phone of Mr G.K Kshirsagar, learned counsel for the applicant, who is from Aurangabad is found.</p> <p>3. Registry is directed to communicate him on phone and ask him to appear on the next date.</p> <p>4. Learned C.P.O submits that as per the directions given by this Tribunal in O.A 576/2013 dated 29.6.2013, the Recruitment Rules were framed. Learned C.P.O further submits that non requirement of B. Ed Degree for administrative posts is the issue agitated in the present Original Application is subject matter of challenge to these Rules.</p> <p>5. Learned counsel Mr Kshirsagar was contacted on his cell phone and he agreed appear on 13.7.2022.</p> <p>6. S.O to 13.7.2022.</p>
	<p>Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p>Akn</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.06.2022</b></p> <p><b>O.A.No.161 of 2022</b></p> <p>V.G. Sude &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. U.V. Bhosale, learned Advocate for Respondents No.4 to 11.</p> <p>2. Learned Advocate Mr. Bhosale for the Respondents No.4 to 11 seeks time to file reply.</p> <p>3. Time granted. Adjourned to 22.06.2022.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.06.2022</b></p> <p style="text-align: center;"><b>O.A.No.457 of 2022</b></p> <p>D.A. Deokar .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate has mentioned that the applicant has already been transferred to Pune. He further states that the delinquent Officer has also been transferred to Pune. However, he has not been relieved in view of the Government orders staying general transfer.</p> <p>3. Time granted for affidavit-in-reply.</p> <p>4. Adjourned to 06.07.2022.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member(A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <b>Date : 08.06.2022</b>
	<p align="center"><b>O.A.No.219 of 2022</b></p> <p>S.R. Waghmare &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Krishna Agarwal i/b Talekar &amp; Associates, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents submits that she will file affidavit-in-reply during the course of the day and will also serve copy of learned Advocate.</p> <p>3. At the request of learned Advocate adjourned to 09.06.2022 at 12.30 p.m. for hearing on interim relief.</p> <p align="center">Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.06.2022</b></p> <p align="center"><b>O.A.No.938 of 2021</b></p> <p>A.R. Ishware &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.D. Patil, learned Advocate holding for Mr. A.A. Desai, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents files affidavit-in-reply. Taken on record. Copy is served upon learned Advocate for the Applicant.</p> <p>3. Admitted with liberty to file rejoinder, if any.</p> <p>4. Adjourned to 22.06.2022 for hearing on the point of interim relief.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.06.2022</b></p> <p><b>O.A.No.414 of 2022</b></p> <p>R.J. Kamane .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. A.R. Joshi, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant seek directions from this Tribunal to Respondents No.1 to 4 to decide the representation of the Applicant dated 04.01.2021 requesting them to consider his past service of 7½ years rendered in the Government Engineering College, Karad and revise his pensionable pay accordingly.</p> <p>3. Learned P.O. for the Respondents submits to the orders of the Tribunal.</p> <p>4. We hereby direct the Respondent-State to decide the representation dated 04.01.2021 within the period of 3 months from today.</p> <p>5. In view of above, as nothing remains in the matter, O.A. stands disposed of.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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


(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.06.2022</b></p> <p><b>O.A.No.870 of 2021</b></p> <p>A.R. Ishware &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.V. Waghmare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. files affidavit-in-reply. Taken on record. Copy be served to learned Advocate.</p> <p>3. Admitted with liberty to file rejoinder, if any.</p> <p>3. Adjourned to 13.07.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A) prk</p> <p>Sd/-  <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Tribunal's orders</b> <b>Date : 08.06.2022</b></p>
	<p><b>O.A.No.725 of 2021</b></p> <p>Y.P. Madikunt .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Ms. Punam Mahajan, learned Advocate for the Applicant has filed leave note. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Affidavit-in-reply is already filed. Admitted with liberty to file rejoinder, if any.</p> <p>3. Adjourned to 06.07.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A) prk</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<p><b>08.06.2022</b></p> <p><b>Tribunal's orders</b></p> <p><b><u>O.A 377/2020 with O.A 48/2021</u></b></p>
	<p>A.K Bhusare &amp; Ors [O.A 377/2020] S.M Joshi &amp; Ors [O.A 48/2021] ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel Dr Sadavarte filed affidavit of service of notice. Same is taken on record.</p> <p>3. Last chance is given to the Respondents to file affidavit in reply.</p> <p>4. S.O to 6.7.2022.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) <sup>u</sup> Member (A) Akn</p> <p style="text-align: right;">Sd/- <sup>&gt;</sup></p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.06.2022</b></p> <p><b>O.A.No.293 of 2021</b></p> <p>Dr. B.G. Phalke .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Affidavit-in-reply is already filed. Admitted with liberty to file rejoinder, if any.</p> <p>3. Adjourned to 06.07.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Tribunal's orders</b> <b>Date : 08.06.2022</b></p>
	<p><b>O.A.No.359 of 2021</b></p> <p>B.R. Thorat .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.K. Hande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. for the Respondents submits that she will file affidavit-in-reply during the course of the day and will also serve copy of learned Advocate.</p> <p>3. Learned Advocate prays for adjournment to file rejoinder.</p> <p>4. Adjourned to 22.06.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> <b>Member(A)</b> prk</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></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 style="text-align: center;"><b>Date : 08.06.2022</b></p> <p style="text-align: center;"><b>O.A.No.108 of 2020 with O.A.No.109 of 2020</b></p> <p>P.P. Shinde &amp; Ors. (O.A.108/2020) A.R. Jagtap &amp; Ors. (O.A.109/2020) ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admitted with liberty to file rejoinder, if any.</p> <p>3. Adjourned to 22.06.2022.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member(A) <span style="float: right;">Chairperson</span></p> <p style="text-align: center;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.06.2022</p> <p align="center">M. A. No.591 of 2021 in O.A.No.1016 of 2021</p> <p>S.R. Kasar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Prerana Agavekar holding for Shri Ashish Gaikwad, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed for interim relief. Interim relief was already granted by the Tribunal and continued from time to time.</li> <li>3. Perusal of O.A. reveals that the Respondent No.3 has not filed reply which is essential for hearing of O.A.</li> <li>4. On request of learned P.O., two weeks time is granted to file reply on behalf of the Respondent No.3 in O.A.</li> <li>5. It would be appropriate to decide M.A. along with O.A. finally.</li> <li>6. Interim relief to continue till next date.</li> <li>7. S.O. to 22.06.2022.</li> </ol> <p align="center">Sd/- (Bijay Kumar) Member (A)</p> <p align="center">Sd/- (A.P.Kurhekar) Member(J)</p> <p align="right">[P.T.O.]</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
	<p>Date : 08.06.2022</p> <p align="center">O.A.No.25 of 2022</p> <p>V. G. Mekale <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Smt. Pooja Mankoji holding for Shri L. S Deshmukh, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned C.P.O., three weeks time is granted for filing reply on behalf of the Respondents.</p> <p>3. S.O. to 01.07.2022.</p> <p align="center">Sd/- <span style="float:right">Sd/-</span></p> <p align="center">(Bijay Kumar) <span style="float:right">(A.P.Kurhekar)</span> Member (A) <span style="float:right">Member(J)</span></p> <p>vsm</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>Date : 08.06.2022</p> <p align="center">O.A.No.98 of 2022</p> <p>J. S. Pandit <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned C.P.O. two weeks time is granted to file reply on behalf of the Respondents.</p> <p>3. S.O. to 22.06.2022.</p> <p align="center">Sd/- <span style="margin-left: 100px;">JK</span> Sd/-</p> <p align="center">(Bijay Kumar) <span style="margin-left: 100px;">(A.P.Kurhekar)</span></p> <p align="center">Member (A) <span style="margin-left: 100px;">Member(J)</span></p> <p>vsm</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>Date : 08.06.2022</p> <p align="center">O.A.No.1065 of 2019</p> <p>J. D. Shirdkar <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 N. Y. Chavan, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. Today, learned C.P.O. has tendered Affidavit in Reply on behalf of the Respondent Nos.2 and 3. It is taken on record.</li> <li>3. No separate reply is filed on behalf of the Respondent No.1.</li> <li>4. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</li> <li>5. S.O. to 29.06.2022.</li> </ol> <p align="center">Sd/- <span style="margin-left: 100px;">2</span> Sd/-</p> <p align="center">(Bijay Kumar) <span style="margin-left: 100px;">(A.P.Kurhekar)</span></p> <p align="center">Member (A) <span style="margin-left: 100px;">Member(J)</span></p> <p>vsm</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>Date : 08.06.2022</p> <p align="center">O.A.No.960 of 2019</p> <p>A. E. Kervre <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. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad., learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Perusal of record reveals that the matter was lying undated in the office and today for the first time, it is listed for final hearing.</p> <p>3. Hence, the matter is adjourned for final hearing.</p> <p>4. S.O. to 22.06.2022.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span> (Bijay Kumar) <span style="float: right;">(A.P.Kurhekar)</span> Member (A) <span style="float: right;">Member(J)</span></p> <p>vsm</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>Date : 08.06.2022</p> <p align="center">M.A. No.294 of 2021 in O.A.No.611 of 2021</p> <p>S. V. Bramhe .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., one week time is granted for filing Affidavit in Reply by way of last chance.</p> <p>3. S.O. to 15.06.2022.</p> <p align="center">Sd/- (Bijay Kumar) Member (A)</p> <p align="center">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 \_\_\_\_\_

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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 : 08.06.2022</p> <p align="center">O.A.No.966 of 2021</p> <p>K. D. Wadekar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Mahajan, learned Counsel for the Applicant has sent leave note. Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that reply on behalf of the Respondent Nos.2 to 5 will be filed during the course of the day and copy will be served on other side. Statement is accepted. It be taken on record.</p> <p>3. The matter is adjourned for filing Rejoinder, if any.</p> <p>4. S.O. to 29.06.2022.</p> <p align="center">Sd/-                      22                      Sd/- (Bijay Kumar)    (A.P.Kurhekar) Member (A)    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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**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 : 08.06.2022</p> <p align="center"><b>O.A.No.832 of 2019</b></p> <p><b>S. B. Rajure</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>The Applicant and his Advocate are absent.</li> <li>Shri A. V. Bandiwadekar, learned Counsel who was appeared in the matter earlier is present and submits that he had already give NOC to the Applicant.</li> <li>Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</li> <li>In present O.A., the Applicant has challenged initiation of D.E. by charge sheet dated 30.03.2019.</li> <li>Learned P.O. submits that in the meantime D.E. was completed. In view of negative report, the Applicant is exonerated from D.E. She has tendered order dated 24.01.2022 passed by the Government. It is taken on record and marked by letter 'X' for identification.</li> <li>In view of above, O.A. has become infructuous and disposed of with no order as to costs.</li> </ol> <p align="center">Sd/- (Bijay Kumar) Member (A)</p> <p align="center">Sd/- (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: 08.06.2022</p> <p>O.A. No.982 of 2016</p> <p>N.M. Pathan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. The Applicant and his Advocate both are absent.</p> <p>2. Advocate for the Applicant has sent her leave note.</p> <p>3. Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>4. In view of leave note adjourned to 29.06.2022.</p> <p>Sd/- (Bijay Kumar) Member (A)</p> <p>12 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 \_\_\_\_

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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>Date: 08.06.2022</p> <p align="center">O.A. No.650 of 2015</p> <p>M.R. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. adjourned for three weeks to produce copies of deposition of witness recorded in D.E.</p> <p>3. S.O. to 29.06.2022.</p> <p align="center">Sd/-                      2                      Sd/- (Bijay Kumar)                      (A.P. Kurhekar) Member (A)                      Member (J)</p> <p>NMN</p>



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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.06.2022</p> <p align="center">O.A. No.652 of 2016</p> <p>V.P. Pardeshi .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate both are absent.</li> <li>Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>This matter was on yesterday's board but Applicant and his Advocate both were absent, and therefore matter was adjourned. However, today also they are absent.</li> <li>In this O.A. the Applicant has challenged D.E. initiated by charge-sheet dated 28.07.2015.</li> <li>Learned P.O. has tendered order dated 31.12.2020 which shows that D.E. is already completed and the Applicant is subjected to reduction to 1/3<sup>rd</sup> pension per-month <sup>per month</sup> and 50% reduction in gratuity. The order is taken on record and marked by letter 'A' for identification purpose.</li> <li>Thus, D.E. is already completed and the Applicant is subjected to punishment. The O.A. which was filed for challenging initiation of D.E. has become infructuous. O.A. is therefore disposed of with no order as to costs.</li> </ol> <p align="center">Sd/- (Bijay Kumar) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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>Date: 08.06.2022</b></p> <p style="text-align: center;"><b>O.A. No.245 of 2017</b></p> <p><b>R.R. Rathod</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>3. Perusal of record reveals that matter was undated and for the first time it is listed for Final Hearing before this Bench. Hence, in the interest of justice shortly adjourned to give opportunity to the Applicant.</li> <li>4. S.O. to 17.06.2022.</li> </ol> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-                    22</p> <p>(Bijay Kumar) Member (A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(A.P. Kurhekar) Member (J)</p> </div> </div> <p style="margin-top: 20px;">NMN</p>
	[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.06.2022</p> <p align="center">O.A. No.1129 of 2016 with O.A. No.1130 of 2016</p> <p>M.D. Pawar S.S. Jadhav .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Shri G.A. Bandiwadekar, learned Advocate for the Applicant submits that matter <del>being</del> handled by his Senior who is unable to remain present and requested for adjournment.</p> <p>3. S.O. to 24.06.2022.</p> <p align="center">Sd/- <sup>22</sup> Sd/- (Bijay Kumar) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.06.2022</p> <p>C. A. No.38 of 2019 in O.A.No.634 of 2017</p> <p>S. D. Sutar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of order passed by the Division Bench on 31.01.2022 reveals that learned Counsel for the Applicant had made statement before the Hon'ble High Court in W.P. that he will not pursue the Contempt Application, and therefore, matter was adjourned.</p> <p>3. Thus, the decision rendered by the Tribunal in O.A. No.634/2017 is challenged by filing W.P. No.8243/2019 wherein learned Counsel for the Applicant appears to have made statement that he would not pursue C.A.</p> <p>4. Today, the Applicant and his Counsel both are absent.</p> <p>5. To confirm the position, learned P.O. is directed to apprise the Tribunal about the status of W.P. by next date.</p> <p>6. S.O. to 06.07.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Bijay Kumar) Member (A)</p> <p>vsm</p> <p style="text-align: right;">Sd/- (A.P.Kurhekar) Member(J)</p> <p style="text-align: center;"><u>L.O.</u></p> <p>7. Learned P.O. on instructions submits that the Respondents had already complied with the order passed by the Tribunal in O.A.No.634/2017 and allowed the Applicant to appear in the process. She has tendered the decision of the Government dated 18.08.2021. It is taken on record and marked by letter 'A'.</p> <p>8. There is specific mention in order dated 18.08.2021 that since there was no stay to the order passed by the Tribunal, the department had accepted the decision of the Tribunal and allowed the Applicant to participate in the process.</p> <p>9. At this stage, Shri C.T. Chandratre, learned Counsel who was appearing in O.A. also appears and stated that C.A. be disposed of.</p> <p>10. Thus, C.A. has become infructuous and disposed of with no order as to costs.</p> <p style="text-align: center;">Sd/- <sup>022</sup></p> <p style="text-align: center;">(Bijay Kumar) Member (A)</p> <p>vsm</p> <p style="text-align: right;">Sd/- (A.P.Kurhekar) Member(J)</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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><b>Date : 08.06.2022</b></p> <p style="text-align: center;"><b>M. A. No.373 of 2021 in O.A.No.729 of 20</b></p> <p>Shri A. S. Kamble <span style="float: right;">....Applicant</span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></b></p> <p>1. This is an application for condonation of delay of 1221 days caused in filing O.A. 729/2021 wherein challenge is to the termination order dated 21.04.2018.</p> <p>2. The Applicant was appointed on the post of Clerk-cum-Typist on compassionate ground by order dated 21.04.2016. As per stipulation in appointment order, the Applicant was to pass typing examination within two years from the date of appointment and to submit the certificate accordingly else his service would come to an end. Despite this specific condition, the Applicant failed to pass typing examination which was most essential condition and eligibility for appointment to the post of Clerk-cum-Typist. Consequently, because of non passing of examination his services were terminated by order dated 21.04.2018. However, the Applicant did not avail legal remedy within stipulated period and filed the present O.A. belatedly after four years along with application for condonation of delay.</p> <p>3. In application for condonation of delay all that Applicant stated that due to financial constrain, he could not approach the Tribunal within the period of limitation. He, therefore, prayed to condone the delay of 1221 days caused in filing O.A.</p> <p>4. Heard Shri S. G. Kulkarni, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p>

[PTO.]

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	<p>5. Admittedly, the Applicant was appointed on compassionate ground and passing of typing examination was condition precedent for appointment. Since, he was appointed on compassionate ground, two years period was given to pass the said examination but the Applicant failed to appeared in the examination that itself indeed shows his casual approach in the matter.</p> <p>6. Be that as it may, now the question is whether the Applicant has made out sufficient cause to condone huge delay of 1221 days and our answer is in emphatic negative.</p> <p>7. As sated above, in M.A. all that it is stated that Applicant's mother is suffering from asthma and due to financial constrain he could not approach the Tribunal within the period of limitation.</p> <p>8. When specific quarry was raised to learned Counsel for the Applicant, he fairly concedes that Applicant's mother is getting family pension. This being the position, the ground that family had financial difficulty falls flat.</p> <p>9. Undoubtedly, in the matter of condonation of delay, the Tribunal has required to take liberal and justice oriented approach but there has to be reasonable and sufficient explanation for condonation of delay. Where there is huge delay of 1221 days, it needs to be explained at least reasonably. However, except bald statement that family is suffering from financial constrain, no other ground is raised.</p> <p>10. As stated above, this ground is totally untenable. The Applicant's mother is already getting family pension. As such, it is obvious that Applicant's attitude is totally casual and he is not vigilant about his right. He slept over his right for four years and belatedly filed M.A.</p> <p>11. Therefore, we have no option except to conclude that delay is not properly explained. Indeed, the ground of delay is totally untenable and unacceptable.</p> <p>12. On merit also Applicant have no case since despite two years period, he did not pass requisite examination and render himself ineligible for continuation in service due to is own negligence.</p> <p>13. Misc. Application is dismissed consequently O.A. is also dismissed being barred by limitation.</p> <p style="text-align: center;">Sd/- (Bijay Kumar) Member (A)</p> <p style="text-align: center;">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\_\_\_\_

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.06.2022</b></p> <p align="center"><b>O.A.No.382 of 2016 (O.A.153/2016 at Aurangabad)</b></p> <p>Shaikh A.A. ....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Mr. Aseem Kumar Gupta, IAS, Principal Secretary (Information Technology) and Mr. Ganesh Patil, IAS, Director (Information Technology) are hereby directed to remain present before the Tribunal today at 3.30 p.m. as the internet problem of the Maharashtra Administrative Tribunal has remained unsolved. This has affected the work of uploading of the Board. Hence, the litigants, Counsel and so also the Departments of Mantralaya are unable to trace the files. In order to find out the solution on this issue the officers are hereby directed to remain present.</p> <p>3. Today at 3.30 p.m.</p> <p align="center">Sd/-</p> <p align="center"><b>(Medha Gadgil) Member(A)</b></p> <p align="center">Sd/-</p> <p align="center"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>