

**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 align="center"><u>08.09.2022</u></p> <p align="center"><u>O.A 735/2022</u></p> <p>Shri B.R Nerurkar & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Amruta Kharade i/b Talekar & Associates, learned advocate for the applicants and Ms Swati Manchekar, learned P.O 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 6.10.2022.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit in 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 Applications shall stand dismissed."</p> <p>8. S.O 6.10.2022.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p> <p align="right">[P.T.O.]</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><u>08.09.2022</u></p> <p><u>M.A 448/2022 in O.A 735/2022</u></p> <p>Shri B.R Nerurkar & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Amruta Kharade i/b Talekar & Associates, learned advocate for the applicants and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed subject to payment of court fees, if not already paid.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>08.09.2022</u></p> <p align="center"><u>PO.A 892/2022</u></p> <p>S.M Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O seeks time.</p> <p>3. Issue notice before admission returnable on 23.9.2022.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit in 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 Applications shall stand dismissed."</p> <p>8. S.O 23.9.2022. Interim relief to continue till then.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) Member (A) Akn</p> <p align="right">/ (Mridula Bhatkar, J.) Chairperson</p> <p align="right">[P.T.O.]</p>

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	<p style="text-align: center;"><u>08.09.2022</u></p> <p style="text-align: center;"><u>O.A 267/2022</u></p> <p>Smt M.V Rajguru (Gulhane) ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.R Asawa, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Affidavit in reply is filed and the same is taken on record.</p> <p>3. Learned counsel for the applicant seeks time to file rejoinder.</p> <p>4. S.O to 29.9.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>08.09.2022</u></p> <p style="text-align: center;"><u>O.A 896/2022</u></p> <p>Sujata Supnekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Kranti L.C, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant challenges the order dated 7.6.2022, appointing Respondent no. 3 as Assistant Professor in Computer Engineering in Government Engineering College for Women in open category.</p> <p>3. Learned counsel for the applicant relies on the Chart disclosing the details of the category, caste, the marks secured in written as well as interview and the total marks and the serial no of the applicant and Respondent no. 3 in the merit list. Learned counsel for the applicant submitted that the applicant has secured higher marks amongst the female candidates and she stood at Sr No. 9, while the Respondent no. 3 who is selected from the open category stands at Sr. No. 28 in the merit list. Learned counsel for the applicant submitted that however, the Respondent-State by order dated 7.6.2022 has appointed Respondent no. 3 on the said post. He submits that the order be stayed qua the Respondent no. 3. Learned counsel for the applicant relies on the judgment of the Hon'ble Bombay High Court, Nagpur Bench in W.P 2670/2017 dated 11.9.2017, Sneha S. Farkade Vs. State of Maharashtra & Ors, wherein the Respondent no. 3 therein the same Respondent no. 3 in the present Original Application. The said Writ Petition the horizontal migration was allowed and the Writ Petition was also allowed. Learned counsel for the applicant relies on the observations made by the Hon'ble High Court as under:-</p> <p style="text-align: center;">“Ms Sujata Supnekar and Sangita Nemade would be entitled to the appointment on the two posts meant for open (Women) category as they have secured the first and second highest marks from amongst all the women candidates irrespective of the category from which they applied.”</p> <p>Learned counsel for the applicant submitted that MPSC has challenged the said order before the Hon'ble Supreme Court. It was upheld by the Hon'ble Supreme Court.</p> <p>4. Learned P.O opposed grant of relief as it is the first date.</p> <p>5. In view of the above facts and circumstances, we stay the operation of the impugned order dated 7.6.2022 qua Respondent no. 3.</p> <p>6. S.O to 29.9.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>08.09.2022</u></p> <p style="text-align: center;"><u>O.A 634/2022</u></p> <p>R.J Lavte ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Issue notice before admission returnable on 23.9.2022.</p> <p>3. 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>4. 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>5. 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>6. In case notice is not collected within seven days or service report on affidavit in 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 Applications shall stand dismissed."</p> <p>7. S.O 23.9.2022</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p>
	<p style="text-align: center;">(Medha/Gadgfi) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: right;">[P.T.O.]</p>

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	<p>Date : 08.09.2022</p> <p style="text-align: center;">O.A.No.53 of 2015 with O.A.No.912 of 2015 with O.A.No.1078 of 2016</p> <p>D.G. Deshmukh (O.A.53/2015) S.G. Deshpande & Ors. (O.A.912/2015) R.D. Wardhane & Ors. (O.A.1078/2016)Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicants in O.A.No.53/2015, Mr. D.B. Khaire, learned Special Counsel for the State and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Special Counsel Mr. Khaire produces information pursuant to order dated 07.09.2022 in tabular form regarding the vacancies available and the requisitions sent by the Government for filling up the posts of AEE since 1998 till 2010. The same is taken on record and marked as Exhibit-3. Copy is served on the concerned.</p> <p>3. Adjourned to 13.09.2022 at 10.30 a.m.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">prk</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>08.09.2022</u></p> <p align="center"><u>C.A 56/2022 in O.A 806/2020</u></p> <p>Shri G.B Pilgar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P Potbhare, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O produces copy of order dated 21.4.2022, wherein decision is taken by the Government.</p> <p>3. Learned counsel for the applicant wants to confirm whether the said decision is communicated to the applicant and therefore seeks time.</p> <p>4. S.O to 15.9.2022.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p style="text-align: center;"><u>08.09.2022</u></p> <p style="text-align: center;"><u>C.A 2/2022 in O.A 1047/2016</u></p> <p>Shri P.P Birajdar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Pooja Mankoji holding for Shri S.S Dere, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. At the request of learned counsel for the applicant as the applicant wants to procure some documents under R.T.I, matter adjourned by four weeks.</p> <p>3. S.O to 6.10.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) // Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">Akn</p>

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	<p><u>08.09.2022</u></p> <p><u>C.A 16/2018 in O.A 670/2016</u></p> <p>Dr C.G Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits Mr Bhise, Desk Officer is present and produces copy of the order dated 8.9.2022 wherein the order of this Tribunal has been complied with, subject to the decision of the Writ Petition No. 5124/2018 pending before the Hon'ble High Court.</p> <p>3. In view of this, nothing remains in the Contempt Application and the same stands disposed of.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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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.832 of 2022 with M.A. No.502 of 2022</u></p> <p>N.A. Shete & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Sabiha Ansari with Ms. Aisha N. Shaikh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. To be heard along with OA No.814/2022, OA No.280/2022 and OA No.281/2022.</p> <p>3. S.O. to 12.9.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 8.9.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.9.2022</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.758 of 2022</u></p> <p>V.V. Mali ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondent No.1. None for Respondent No.2 though served.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 29.9.2022 by way of last chance.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 8.9.2022 8.9.2022</p> <p>(sgj)</p>

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	<p align="center"><u>OAs. No.716, 717, 718, 719, 720 & 730 of 2022</u></p> <p>H.G. Sapkal G.A. Deshmukh Y.C. Girange S.A. Bhagat G.S. Hadbe A.P. Khatal ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks four weeks time to file reply.</p> <p>3. S.O. to 6.10.2022. Interim relief granted on 27.7.2022 to continue.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 8.9.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.9.2022</p>

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	<p align="center"><u>O.A. No.332 of 2022</u></p> <p>Dr. S.B. Ghogare ..Applicant Vs. The State of Maharashtra & 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 seeks time to file reply.</p> <p>3. S.O. to 22.9.2022 by way of last chance. Interim relief granted by order dated 13.4.2022 to continue.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 8.9.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.9.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.483 of 2022</u></p> <p>M.G. Prajapat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondents-State and Smt. Punam Mahajan, learned Advocate for Respondent No.7.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 15.9.2022. Interim relief granted by order dated 24.5.2022 to continue.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 8.9.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.9.2022</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.1033 of 2015</u></p> <p>T.D. Tayade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 & 2.</p> <p>2. Ld. Advocate for the applicant has filed Praecipe dated 8.9.2022 for speaking to minutes of the judgment and order dated 5.9.2022 passed in the above OA No.1033/2015.</p> <p>3. Ld. Advocate submits that in line 2, para B, page 9 of operative part of the order dated 5.9.2022 the words, "dated 24.9.2015" is to be added after the words, "recommended candidate".</p> <p>4. Order be corrected and read accordingly.</p> <table style="width: 100%;"><tr><td style="text-align: center;">Sd/-</td><td style="text-align: center;">Sd/-</td></tr><tr><td style="text-align: center;">(Medha Gadgil) Member (A) 8.9.2022</td><td style="text-align: center;">(Mridula Bhatkar, J.) Chairperson 8.9.2022</td></tr></table> <p>(sgj)</p>	Sd/-	Sd/-	(Medha Gadgil) Member (A) 8.9.2022	(Mridula Bhatkar, J.) Chairperson 8.9.2022
Sd/-	Sd/-				
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	<p>08.09.2022</p> <p style="text-align: center;"><u>O.A 90/2020</u></p> <p>Shri V.D Kulkarni ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.D Chemburkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the applicant is going to be superannuated on 30.1.2023.</p> <p>3. At the request of the learned counsel for the applicant, matter is preponed.</p> <p>4. S.O to 13.10.2022.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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	<p style="text-align: center;"><u>08.09.2022</u></p> <p style="text-align: center;"><u>M.A 387/2022 in O.A 634/2022</u></p> <p>R.J Lavte ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that there is delay of 1 years and 10 morths. Learned counsel for applicant submits that the cause of action arose on 15.9.2022. The said order was challenged before the Hon'ble High Court in Writ Petition Stamp No. 92657/2020. However, it remained pending. The Hon'ble High Court by order dated 8.6.2022 directed the applicant to approach the Tribunal.</p> <p>3. The present Original Application was filed on 30.6.2022. Learned counsel submits that there is no delay due to the pendency of the Writ Petition before the Hon'ble Bombay High Court.</p> <p>4. Learned P.O opposes the Misc Application seeking condonation of delay.</p> <p>5. In view of Section 14 of the Limitation Act, the pendency of Writ Petition before the Hon'ble High Court as the wrong Forum is chosen, the said period is excluded for the purpose of limitation.</p> <p>6. Hence the Misc Application is allowed.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil/ Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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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>O.A.901/2022</u></p> <p>Shri M.R. Naladkar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. The Applicant has raised short grievance that he is not allowed to join and work with Respondent No.2.</p> <p>3. The Applicant served in the cadre of Deputy Collector and Respondent No.1 is his parent department. The Respondent No.1 by order dated 18.08.2022 deputed Applicant on the establishment of Respondent No.2 for three years. Accordingly, Applicant was instantly relieved on 18.08.2022. The Applicant then submitted Joining Report to Respondent NO.2 on 22.08.2022 (Page No.16 of P.B.). However, his grievance is that he is not allotted any work and apprehensive of some change in the order.</p> <p>4. So long as order dated 18.08.2022 are in force, that needs to be implemented by all means. Learned P.O. is, therefore, directed to take instructions as to why Applicant is not allowed to join and work where he is deputed by order dated 18.08.2022.</p> <p>5. Matter be kept at 2.30. p.m.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member-J 08.09.2022</p> <p>(skw)</p>

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

Tribunal's orders

L.O.

1. In Afternoon session, learned P.O. submits that the file is in process before Minister, Industries, Energy and Labour Department. When Tribunal specifically asked her what is the proposal, all that she stated that she is only told by Principal Secretary, Industries, Energy and Labour Department that file is in process and he did not disclose about the nature of proposal or file. She, therefore, requested for 2 days' time.

2. Indeed, as informed by learned P.O. that the order of deputation is approved by Hon'ble Chief Minister and so long as it is not modified or cancelled, it has to be implemented. It appears that Principal Secretary, Industries, Energy and Labour Department's grievance is about non-consultation before sending the Applicant on his establishment on deputation. However, once there is order of deputation passed by Hon'ble Chief Minister directing the Applicant to report for duty with Principal Secretary, Industries, Energy and Labour Department, it has to be implemented by allowing the Applicant to join on deputation in terms of order dated 18.08.2022.

3. In view of above, by way of interim direction, the Respondent No.2 is directed to get the Applicant joined in terms of order dated 18.08.2022.

4. Issue notices to the Respondents made returnable on 21st September, 2022.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

9. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. S.O. to 21st September, 2022.

Sd/-

(A.P. Kurhekar)
Member-J
08.09.2022

(skw)

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

Tribunal's orders

Date: 08.09.2022

M.A. No.535 of 2022 in O.A. No.659 of 2021

The State of Maharashtra & Ors. (Org. Resps.)....Appl.
Versus
R.G. Naik & Anrs. (Org. Appl.)Resps.

1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants (Org. Respondents) and Shri K.R. Jagdale, learned Advocate for the Respondent (Org. Applicant).
2. This M.A. is filed to modify order dated 11.08.2022 passed in O.A. No.659/2021.
3. Tribunal disposed of O.A. No.659/2021 by order dated 11.08.2022 directing the Director General of Police to decide appeals preferred by the Applicant in according to law within two months from the date of order.
4. Learned P.O. submits that the Director General of Police called information from the Commissioner of Police, Pune and he was informed that the Applicant have not filed appeal within 60 days and it was to be submitted through the Commissioner of Police, Pune.
5. Learned P.O. therefore submits that the Director General of Police found it difficult whether to decide appeal on merit or on the point of limitation, and therefore sought certain modification in the order passed by the Tribunal on 11.08.2022. All that the Tribunal directed the Director General of Police to decide appeal within two months in accordance to law. Therefore the Director General of Police needs to decide the matter in accordance to law and no modification in the order passed by the Tribunal is required.
6. In view of above, M.A. is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

O.A.103/2021

Shri R.M. Sathe ... Applicant

Vs.

The State of Mah. & Ors. ... Respondents

1. Shri Akhil Nair holding for Shri V.P. Sangvikar, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents, *one present*

2. Learned P.O. seeks time to file Additional Affidavit till Monday. Time is granted by way of last chance.

3. S.O. to 12.09.2022.

Sd/-

(A.P. Kurhekar)
Member-J
08.09.2022

(skw)

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>O.A.354/2022</u></p> <p>Shri S.G. Gole ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri S.G. Kudle, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit on behalf of Respondent No.3 – District Collector, Palghar with annexures. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission on 23.09.2022.</p> <p style="text-align: right;">Sd/- ^{VVP} (A.P. Kurhekar) Member-J 08.09.2022</p> <p>(skw)</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;"><u>O.A.819/2022</u></p> <p>Dr. R.S. Hiray ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicant, Smt. A.B. Kololgi, learned P.O. for Respondent Nos.1 to 3 and Shri Mukesh Shah, learned Advocate for Respondent No.4 is present.</p> <p>2. The Applicant has filed the present O.A. to modify the order dated 10.08.2022 whereby on promotion, he is transferred from Pune to Baramati. The Applicant alleged that Government has given undue favour to Respondent No.4 by retaining her at Pune though she is staying in Pune from 1997. The learned Advocate for the Applicant further submits that Applicant is senior-most in the list and one post of Professor is still vacant at Pune. Today, matter is for filing Affidavit-in-reply of Respondents.</p> <p>3. The learned Advocate for the Applicant, however, on instructions from the Applicant, who is present in the Tribunal sought permission to withdraw O.A. with liberty to make representation to Respondent No.1 for modification of posting.</p> <p>4. Allowed to withdraw O.A. with liberty to the Applicant to make representation within two weeks from today. If any such representation is made, the Respondent No.1 shall decide it within six weeks from the date of receipt of representation and the decision shall be communicated to the Applicant.</p> <p>5. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 08.09.2022</p> <p>(skw)</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 align="center"><u>O.A.834/2019</u></p> <p>Shri S.B. Patil ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Ms. Ranjana Todankar, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned P.O. for the Respondents. 2. Today Learned P.O. has filed Affidavit-in-reply of Respondent No.3 to the amendment made to O.A. It is taken on record. 3. O.A. be kept for final hearing to 29.09.2022. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member-J 08.09.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.359 of 2022</p> <p>R.K. TanpureApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.H. Hendre, leaned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Interim relief to continue.</p> <p>3. S.O. to 03.10.2022.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 08.09.2022</p> <p align="center">O.A. No.424 of 2022</p> <p>B.P. SalunkheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S. Sakhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant It is taken on record.</p> <p>3. S.O. to 03.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 08.09.2022</p> <p align="center">O.A. No.873 of 2022</p> <p>G.M. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for limited relief of direction to the Respondents to decide the revision dated 31.03.2021 within stipulated period.</p> <p>3. The Applicant was subjected to Departmental proceeding and punishment of withholding of next increments without cumulative effect was imposed by Chief Conservator of Forest, Nashik on 23.01.2018. Appeal preferred by the Applicant was dismissed by Principal Chief Conservator of Forest, Nagpur on 28.01.2020. The Applicant again preferred revision on 31.03.2021 before Respondents / Government but still it is pending. Thus period of more than 15 months is over but the appeal is not decided which ought to have been disposed of within reasonable time. The Applicant apprehends denial of promotion because of pendency of revision against punishment.</p> <p>4. In view of above, O.A. is disposed of with the direction to the Respondent to decide revision dated 31.03.2021 filed by the Applicant within three months from today in accordance to law and decision be communicated to the Applicant within two weeks thereafter.</p> <p align="right">Sd/- (A.P. Kurhekar) [P.T.O.] Member (J)</p> <p align="left">5 No order as to cost</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: 08.09.2022</p> <p align="center">M.A. No.511 of 2022 in O.A. No.675 of 2022</p> <p>P.P. KaroteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed for amendment to implead the Divisional Commissioner, Konkan Division, Navi Mumbai as Respondent No.5. 3. After having gone through O.A. and M.A., the proposed amendment to implead the Divisional Commissioner, Konkan Division, Navi Mumbai seems to be necessary for proper adjudication of the matter in issue. 4. In view of above, M.A. is allowed. Amendment be carried out forthwith. 5. M.A. is disposed of with no order as to costs. <p align="right">Sd/- WV (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.675 of 2022</p> <p>P.P. KaroteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. In this O.A. learned Advocate for the Applicant filed M.A. No.511/2021 for amendment and to implead the Divisional Commissioner, Konkan Division, Navi Mumbai as Respondent No.5 which is allowed as per separate order passed in M.A. 3. In view of above, Respondent No.5 be added in O.A. and necessary amendment be carried out immediately. 4. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 5. Issue notice of amended O.A. to Respondent No.5 before admission returnable on 07.10.2022. 6. 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. 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. <p align="right">[P.T.O.]</p>

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

Tribunal's orders

8. 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.

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

10. S.O. to 07.10.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

**O.A.No.834 of 2022 with O.A.No.837 of 2022
with O.A.No.878 of 2022**

DISTRICT : MUMBAI

Dr. V.N. Waghmare & Ors. (O.A.834/2022)
Dr. V. Salunkhe @ Pawar (O.A.837/2022)
Dr. R.R. Rajput (O.A.878/2022)

....Applicants

VERSUS

The State of Maharashtra & Ors.

....Respondents.

Mr. A.A. Desai, learned Advocate for the Applicants in O.A.No.834/2022 and O.A.No.878/2022.

Mr. M.V. Thorat, learned Advocate for the Applicant in O.A.No.837/2022

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

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Ms. Medha Gadgil (Member) (A)

DATE : **08.09.2022**

PER : **Ms. Medha Gadgil (Member) (A)**

ORDER

1. Pursuant to order dated 07.09.2022 in O.A.No.834/2022 learned Advocate Mr. Desai has filed M.A.No.541/2022 seeking amendment in O.A.No.834/2022. Learned Advocate Mr. Desai has prayed for interim relief to allow the applicants to appear for the interview with respect to the advertisements No.52/2021 and 175/2021.

2. Amendment allowed. Copy is served upon the concerned.

3. Permission granted to allow the Applicants to appear for the said interviews, subject to outcome of the O.A.

4. M.A.No.541/2022 stands disposed of.

5. In O.A.No.878/2022 learned Advocate Mr. Desai prays for directions to be given to Respondent No.3 to treat the period of 364 days as one year.

6. We direct the Respondent that the period of bonded service as Senior Resident of 364 days be counted as one year.

7. Learned C.P.O. submits that Dr. Deelip Maisekar, Director, DMER and Mr. Sharad Makhe, Desk Officer, MEDD, Mantralaya are present today to assist the Tribunal in the present O.As.

8. A query was raised by the Tribunal to the Director that how many posts of Assistant Professors are available and advertised as on today ?

For which the reply was 721 posts are declared/ advertised as on today by the advertisement dated 13.08.2021.

We further raised query as to out of 721 posts how many posts are available for Clinical, Para clinical and Pre Clinical.

For which the reply was 230 posts are declared/ advertised for Senior Resident for Para clinical and Pre Clinical and the remaining 491 posts are declared/ advertised for Clinical.

9. We direct Director DMER to file affidavit on the following points :-

(a) Year wise chart from 05.06.2017 i.e. the date when the policy was declared by the National Medical Commission of the number of posts of Senior Residents and tutors were available and filled up in Government Colleges of the State of Maharashtra during the year 2017 to 2020.

(b) Whether the Doctors who worked as Assistant Professors (adhoc) but not Senior Resident are otherwise eligible to the post of Assistant Professors.

10. Learned Advocate Mr. Thorat points out to clause 3.3.2 of the advertisement No.58/2021 dated 03.07.2021, which reads

3.3.2. All the selections will be made as per the Medical Council of India ad National Medical Commission norms.

He further points out to Notification dated 14.02.2022 issued by the National Medical Commission (Post Graduate Medical Education Board), Teachers Eligibility Qualifications in Medical Institutions Regulations, 2022 for the post of Assistant Professor, Teaching and Research Experience it is mentioned,

One year as Senior Resident in the concerned subject in a recognized permitted medical college after acquiring MD/MS Degree.

11. Learned Advocate Mr. Thorat request for modification of order dated 24.08.2022.

12. We direct that the interim relief granted by order dated 24.08.2022 to allow the Applicant to appear for the interview remains the same. However, the candidature of the applicant will be subject to outcome of the O.A.

13. We appreciate Dr. Deelip Maisekar, Director, DMER for his assistance.

14. Adjourned to 26.09.2022.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.4 of 2020 in O.A. No.1119 of 2015</u></p> <p>Dr. B.M. Lad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Mentioned. Not on board. At the request of Ld. PO taken on board.</p> <p>3. Ld. PO submits that she is moving an application for speaking to minutes of the order dated 7.9.2022 passed in the above CA to the extent that there was some miscommunication on the part of the department based on which the Ld. PO made submission that stay is granted by order dated 6.9.2022 by the Hon'ble High Court in W.P. No.121 of 2021. However, Ld. PO submits that order in OA is not stayed. She produces copy of order dated 6.9.2022 passed by the Hon'ble High Court in W.P. No.121 of 2021 wherein it is requested to this Tribunal not to take up the contempt mater until 15.9.2022. The said order dated 6.9.2022 reads as follows:</p> <ol style="list-style-type: none"> 1. <i>Mentioned. Not on board. Taken on board.</i> 2. <i>Mr Kulkarni seeks urgent circulation of Writ Petition No. 121 of 2021. The reason for the urgency is that there is contempt proceeding before the Maharashtra Administrative Tribunal ("MAT"). That Contempt Petition has been placed on 7th September 2022 and the Writ Petitioner, the Maharashtra Public Service Commission, has been given final opportunity to obtain a stay in the Writ Petition from this Court.</i> 3. <i>Presently MAT matters are assigned to this Court temporarily for this week as the regular bench is unavailable.</i>

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

Tribunal's orders

4. *We request MAT not to take up the Contempt matter until 15th September 2022.*

5. *We grant the Petitioners liberty to move before regular bench after 12th September 2022. We also note that this Writ Petition is to be listed with several other Petitions which are to be heard as a group."*

4. The order dated 7.9.2022 is modified to this extent and is to be read accordingly.

5. Ld. PO submits that notice is not given to the Ld. Advocate for the Applicant. As the order is reproduced above, there is no need to serve the Respondents. However, this order of the Tribunal along with copy of said order dated 6.9.2022 is to be served on the applicant.

6. S.O. to 21.9.2022.

Sd/-
(Medha Gadgil)
Member (A)
8.9.2022

Sd/-
(Mridula Bhatkar, J.)
Chairperson
8.9.2022

(sgj)

**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><u>O.A. No.852 of 2022</u></p> <p>P.L. Barate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that she has served the respondents and will be file affidavit of service.</p> <p>3. Removed from the caption of 'For Dismissal'.</p> <p>4. S.O. to 22.9.2022 for filing reply.</p> <p align="center"> Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 8.9.2022 8.9.2022 </p>
	(sgj)

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

Tribunal's orders

O.A. No.814/2022 with MA.512/2022

G.S. Chavhan & 4 Ors. (OA.814/2022)
T.R. Avhad & 3 Ors. (MA.512/2022) ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Sabiha Ansari with Ms. Aisha N. Shaikh, learned Advocate for the Applicants in OA No.814/2022. Ms. S.P. Manchekar, learned Presenting Officer for Respondents No.1 to 4, Shri S.S. Dere, learned Advocate for Respondent No.12 and Shri M.D. Lonkar, learned Advocate for Respondents No.9, 10, 11 & 13 in OA.814/2022. Shri M.D. Lonkar, learned Advocate for Applicants in MA No.512/2022 for vacating stay.

O.A. No.280 of 2022 with MA.526/2022
and O.A. No.281 of 2022

G.G. Daga & 27 Ors. (OA.280/2022)
Y.S. Kulkarni & 6 Ors. (OA.281/2022)
Gurav B. Jagtap & 13 Ors. (MA.526/2022 in OA.280/2022)
..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri S.T. Yaseen with Shri Hassan Khan, learned Advocate for the Applicants in OAs. No.280/2022 & 281/2022, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents no.1 & 2, Shri Sangharsh Waghmare, learned Advocate for Respondents no.3 to 8 in OA No.280 of 2022 and Ms. Madhavi Ayappan i/b, Talekar & Associates, learned Advocate for Respondents No.3 to 9 in OA No.281 of 2022. Shri Sangharsh Waghmare, learned Advocate for applicants in MA No.526/2022 for Intervention.

2. S.O. to 12.9.2022 at 2.30 p.m. Part Heard.

Sd/-
(Medha Gadgil)
Member (A)
8.9.2022

Sd/-
(Mridula Bhatkar, J.)
Chairperson
8.9.2022

(sgj)

**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>O.A.490/2020 with O.A.458/2021</u></p> <p>Shri S.R. Patil Shri A.R. Salunkhe ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri K.R. Jagdale and Shri S.K. Hande, learned Advocate for the Applicants and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. In both these O.As, Applicants have filed Additional Affidavit along with certain annexures subsequent to filing of Affidavit-in-reply by the Respondents. It is, therefore, necessary for the Respondents to file counter Affidavit or Sur-rejoinder, if they desire.</p> <p>3. One week time is granted to Respondent/learned P.O. to file counter Affidavit, if any.</p> <p>4. S.O. to 15th September, 2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 08.09.2022</p> <p>(skw)</p>

Date: 08.09.2022

O.A. No.848 of 2022

V.B. SaravadeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant has challenged communication dated 05.05.2022 whereby compassionate appointment has been rejected on the ground that deceased Government servant had 3rd child after cutoff date in terms of G.R. dated 28.03.2001.

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

4. Issue notice before admission returnable on 06.10.2022.

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 Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

9. S.O. to 06.10.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.616 of 2022</p> <p>P.P. PimparkhedeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P.P. Pimparkhede, Applicant-in-Person and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Enough time is granted to file Affidavit-in-Reply but the same is not filed. 3. Hence, I am not inclined to grant further time. 4. O.A. be kept for hearing at the stage of admission without Reply. 5. S.O. to 28.09.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.689 of 2022</p> <p>S.S. ChandaliyaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Anita Kolapkar, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 21.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 08.09.2022</p> <p align="center">O.A. No.709 of 2022</p> <p>V.J. SonawaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.P. Sarnath, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 23.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.824 of 2022</p> <p>R.K. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate 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 Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 15.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.543 of 2022</p> <p>V.Y. KhandebharadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. time till Monday is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 12.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.454 of 2022</p> <p>H.A. AnsariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate both are absent.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. Learned P.O. submits that today matter is for hearing before the Government in respect of absenteeism of the Applicant and his entitlement to pensionary benefits. He therefore, requested for one week time to tender copy on decision.</p> <p>4. S.O. to 16.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 08.09.2022</p> <p align="center">O.A. No.1042 of 2021</p> <p>N.L. PaithankarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. Since, pleading is complete, O.A. is admitted for Final Hearing with liberty to learned Advocate for the Applicant to file Rejoinder in mean time, if any.</p> <p>4. S.O. to 30.09.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 08.09.2022</p> <p align="center">O.A. No.427 of 2021</p> <p>P.B. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. 3. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondents. It is taken on record. 4. Since pleading is complete, O.A. be kept for Final Hearing. 5. S.O. to 28.09.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 08.09.2022</p> <p align="center">O.A. No.795 of 2018</p> <p>V.N. GhatgeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.S. Patil, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today matter is for filing Rejoinder but the same is not filed. 3. This is High Court time bound matter, and therefore I am not inclined to grant further time. 4. O.A. be kept for hearing at the stage of admission. 5. S.O. to 15.09.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**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: 08.09.2022</p> <p align="center">M.A. No.538 of 2022 in O.A. No.899 of 2022</p> <p>K.A. SalunkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay of five months and ten days caused in filing O.A. challenging transfer order.</p> <p>3. Learned Advocate for the Applicant has submitted that the Applicant has already challenged one O.A. No. 561/2021 arising from same situation and it is kept on 13.09.2022.</p> <p>4. This M.A. be therefore kept on same day.</p> <p>5. S.O. to 13.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.09.2022</p> <p align="center">O.A. No.897 of 2022</p> <p>H.R. KanojApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 18.05.2022 whereby ^{he} is suspended in contemplation of D.E. invoking Rule 4(1)(a) of M.C.S. (Discipline and Appeal) Rules, 1979.</p> <p>3. The Applicant's Counsel raised grievance that though period of more than three months is over neither review is taken nor D.E. is initiated and the Applicant is subjected to prolong suspension in contravention of decision of Hon'ble Supreme Court in <i>(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.)</i>.</p> <p>4. Learned P.O. is directed to take instruction from the Superintendent of Police, Nashik (Rural) about the review, if any, and status of D.E. so that O.A. can be disposed of without further delay.</p> <p>5. S.O. to 12.09.2022.</p> <p>6. Steno copy granted.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="left">NMN</p>

Date: 08.09.2022

M.A. No.516 of 2022 in O.A. No.861 of 2022

S.Y. ManjareApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri R. Hake-Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. This M.A. is filed to condone delay of 180 days cause in filing O.A. challenging denial of compassionate appointment.

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

4. Issue notice of M.A. to the Respondents before admission returnable on 03.10.2022.

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 Applications shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

9. S.O. to 03.10.2022.

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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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: 08.09.2022</p> <p align="center">O.A. No.859 of 2022</p> <p>D.N. KirpanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.D. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant has challenged suspension order dated 11.05.2022 by which he is suspended in contemplation of D.E.</p> <p>3. However, learned Advocate for the Applicant has pointed out that subsequently the Applicant has been reinstated by order dated 30.08.2022. However, his grievance is that instead of giving posting to the Applicant at Mumbra Police Station, he was given posting at Police Headquarter, Thane. He wants to make representation about it.</p> <p>4. Learned Advocate for the Applicant therefore requested to dispose of O.A. with liberty to the Applicant to make representation.</p> <p>5. In view of above, O.A. is disposed of with liberty to the Applicant to make representation which will be dealt with by the compassionate authority in accordance to law.</p> <p>6. No order as to cost.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="left">NMN</p>

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

Tribunal's orders

Date: 08.09.2022

O.A. No.849 of 2022

D.S. PatilApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. The Applicant stands retired on 30.04.2018. His Gratuity and regular Pension was withheld due to pendency of D.E. Ultimately, by order dated 26.05.2022 punishment of deduction 6% pension for one year has been imposed invoking Rule 27 of M.C.S. (Pension) Rules, 1982. Despite finality in D.E., Gratuity is not paid and therefore the Applicant has approached this Tribunal for direction to Respondents to release Gratuity.
3. On previous date i.e. 30.08.2022 when the matter was taken up for admission seven days was granted to learned P.O. to take instruction from the Respondents as to why Gratuity is not paid.
4. Today, learned P.O. however again sought short time to take instruction.
5. Since, D.E. is already concluded by order dated 26.05.2022 now there is no legal hurdle for releasing Gratuity. There seems to be no communication amongst the Respondents due to which the Applicant is deprived of the Gratuity. As such, nothing ^{to be} adjudicated in the matter and O.A. deserves to be disposed of with suitable direction.
6. In view of above, O.A. is disposed of with direction to the Respondents to pass appropriate orders about Gratuity within three weeks from today and monetary benefits be accordingly released.

Sd/-

(A.P. Kurhekar)
Member (J)