

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 08.10.2024</p> <p align="center">O.A.No.1284/2024</p> <p>J.A. Agarkar .Applicant Vs. The State of Maharashtra & Ors. ... Respondents.</p> <p>1. Mr. M.D. Lonkar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Applicant is working as Assistant Commissioner of Police, Bhandup Division, Mumbai challenges the transfer order dated 04.10.2024 thereby transferring the applicant from Mumbai to Deputy Superintendent of Police, Headquarters, Thane Rural qua the applicant.</p> <p>3. Learned Counsel has submitted that the applicant has challenged the transfer order on the following grounds :</p> <p>(a) Applicant is transferred to Mumbai from Thane on 22.05.2023 as Assistant Commissioner of Police, so his requisite period of two years is not complete.</p> <p>(b) Transfer order is passed invoking Section 22(N) of the Maharashtra Police Act, 1951 pursuant to the guidelines dated 31.07.2024 issued by the Election Commission in respect of ensuing General Elections to Legislative Assembly in Maharashtra.</p> <p>(b) Applicant has though disclosed his Home Town as Mumbai at the time of his appointment in the year 1991 in fact he belongs to Pune and his Home Town is Pune. He has made application dated 23.09.2024 to the Director General of Police that he has been informed on 23.09.2024 by the Joint Police Commissioner, Greater Mumbai (Admn.) this his Home Town is mentioned as Chembur, Mumbai and therefore wanted it to be corrected as Post Shirol, Taluka Junnar, District Pune. He has submitted that home town is to be replaced as Pune (Rural) instead of Chembur, Mumbai. In support of his submissions learned Counsel has annexed five documents. Learned Counsel has submitted that it is necessary for the authority to take decision on the application dated 23.09.2024 made by the applicant.</p>

Office Notes, Office Memoranda of Coram,
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(c) Learned Counsel has submitted that without deciding this application the applicant is transferred from Mumbai to Thane (Rural) on the ground that his home town is Mumbai.

3. Learned Counsel has submitted that the post of ACP, Bhandup Mumbai is still not filled up therefore his representation dated 23.09.2024 regarding change of home town is to be considered and he be allowed to continue on the same post at Bhandup, Mumbai.

4. Learned P.O. has submitted that the earlier report of the applicant shows applicant's home town as Chembur, Mumbai therefore he is transferred in view of the guidelines dated 31.07.2024 of the Election Commission. Further applicant has given his alternative choice of posting as Mumbai or Thane, so he is transferred to Thane.

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

6. Issue notice before admission returnable on 10.10.2024.

7. 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.

8. 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.

9. 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.

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

11. Adjourned to 10.10.2024. Applicant to continue to work as ACP, Bhandup till next date.

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

ORIGINAL APPLICATION NO.1059 OF 2024

**DISTRICT : Thane
SUB : Suspension**

B. K. Rakshe

... Applicant

Versus

The State of Maharashtra & Ors.

....Respondents

Shri S. B. Talekar, learned Advocate for the Applicant.

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

CORAM : Shri Ashutosh N. Karmarkar, Member (J)

DATE : 08.10.2024.

ORDER

1. Applicant has prayed to grant interim stay to operation, execution and implementation of impugned order dated 23.08.2024 placing him under suspension.

2. Learned Advocate for Applicant submits that Applicant is Education Officer in Maharashtra Education Service, Group-A. According to learned Advocate for Applicant, the ghastly incident and one of the most barbaric acts of repeated sexual assault over a period of fifteen days by male attendant in which two 4 years old girl children were sexually assaulted in the remote corner of the school was reported in press as well as electronic media on 18.08.2024. It was only after the incident was reported in newspaper and electronic mediate, there was

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widespread protest by public. Two female children were medically examined. Thereafter, Applicant asked Block Education Officer, Panchayat Samiti, Ambernath on 18.08.2024 to conduct an enquiry and submit report immediately. The Applicant has also issued show cause notices to President/Secretary/Headmaster of said School Management/School at Kulgaon, Badlapur for failure to ensure that CCTV camera installed in the school were working. The Applicant has also forwarded enquiry report to the Deputy Director, Mumbai as well as the Director of Education (Primary), MS Pune on 20.8.2024. According to learned Advocate for Applicant, on Applicant's report, Under Secretary, School Education and Sports Department directed the Director of Education (Primary) to appoint Committee of Administrators on the School dated 21.08.2024.

3. Another contention of the learned Advocate for Applicant is that Minister for School Education announced in an interview to the electronic media that the Education Officer (Primary) in Zilla Parishad, Thane would be placed under suspension and accordingly on next date, impugned order was passed. This order is challenged on the ground that impugned order was issued by the Government to pacify the public anger. Secondly, the Applicant placed under suspension without there being any grievous conduct. The Pre-Primary Schools are governed by Women and Child Development and has no concerned with School Education and Sports Department. Applicant who is Education Officer (Primary) is not empowered to supervise Pre-Primary School. He has no authority to mandate installation of camera in Pre-Primary Schools such

as Nursery or Kindergarten. According to him, the suspension order should be passed only when there is strong prima-facie case as held by the Hon'ble Apex Court.

4. The Respondent Nos.1 to 4 have filed their Affidavit in Reply. According to them, as per Rule 17 of the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 remedy was available to Applicant to prefer appeal before the Hon'ble Government. The Applicant has not filed any appeal.

5. According to Respondents, Minister of School Education and Sports Department is the Disciplinary Authority in respect of the Applicant. He has directed the department on 23.08.2024 to suspend the Applicant in contemplation of the proposed D.E. As per Rule 4 of Maharashtra Civil Services (Discipline and Appeal) Rules, 1979, the Government employee can be suspended where disciplinary proceeding is contemplated. Respondents have contended that in the matter of suspension, there is no scope of prior hearing of the employee. The suspension order dated 23.08.2023 was passed after taking permission from the concerned Minister on 23.08.2024. The Kindergarten student of 3 years 10 months of Adarsh Vidya Mandir School, Kulgaon, Badlapur was reported to be sexually assaulted by a 'Male Attendant'. The medical test of the victim was conducted on 15.08.2024 and FIR was registered on 16.08.2024. On 17.08.2024, the School Management suspended the 'Headmistress, Class Teacher and two Female Attendants. Subsequently, the Block Education Officer visited the school for enquiry and then report was submitted to Deputy Director Education on 20.08.2024. On

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20.08.2024, the concerned Minister visited the School and gave direction to enquiry. According to Respondents, the Applicant was responsible for non-implementation of Government Orders, directions and policies regarding safety of children. Various persons are collectively responsible for said ghastly incident. According to Government Circulars dated 07.04.2016, 05.05.2017, 20.01.2022, 10.03.2022 directions are issued for protection of School Children. The Applicant being 'Education Officer (Primary)' is responsible for safety and security of children.

6. After concluding arguments, Office Noting is produced along with short Affidavit by learned CPO on 27.09.2024. On the same day, the Applicant has also filed short Affidavit and reiterated the contents which are in petition.

7. I have heard both the sides at length. They have submitted as per their respective contentions. Both have submitted in respect of prayer of interim relief in Prayer clause 73(B).

8. The learned Advocate for Applicant has relied on following cases in support of his contention :-

- (i) ***Ram & Shyam Company V/s State of Haryana, (1985) 3 SCC 267***
- (ii) ***Dhampur Sugar Mills Ltd. V/s State of UP & Ors., (2007) 8 SCC 338***
- (iii) ***Union of India & Anr. V/s Ashok Kumar Aggarwal, (2013) 16 SCC 147***
- (iv) ***State of Maharashtra V/s Dr. Subhash Dhondiram Man, 2015 (4) Mh.L.J***
- (v) ***Bertha T. A. D/Mello e Deniel V/s Goa University & Anr., 2023 SCC Online BOM 1547***
- (vi) ***Ashok Singh V/s State of Rajasthan & Ors., SB Civil Writ Petition No.10567/2024 (Rajasthan HC)***

- (vii) ***Utkarsh V/s State of Maharashtra & Ors., 2022 SCC Online MH SAT 1078***
- (viii) ***Harishchandra V/s State of Maharashtra, 2017 SCC Online Mah SAT 288***
- (ix) ***K. Sukhendar Reddy V/s State of A. P. And Another, (1996) 6 SCC 257.***

9. On the other hand, learned CPO has relied on following citations:-

- (i) ***S. A. Khan V/s State of Haryana & Ors, (1993) 2 SCC 327***
- (ii) ***State of Orissa... V/s Bimal Kumar Mohanty., (1994) 4 SCC 126***
- (iii) ***Secretary of Govt...V/s L. Srinivasan, (1996) 3 SCC 157***
- (iv) ***Union of India V/s Ashok Kumar Aggarwal, (2013) 16 SCC 147***
- (v) ***Ajay Kumar Choudhary V/s Union of India, (2015) 7 SCC 291***

10. It is undisputed fact that on 13.08.2023, the incident of sexual assault on minor child took place in one private school at village Kulgaon, Badlapur by 'Male Attendant' in the school. The Applicant was allegedly suspended for not performing duties as per the Government Resolution/ Circulars etc. The main ground of Applicant for challenging suspension order is that in order to pacify public anger, the Applicant is suspended without there being prima-facie material.

11. Learned Advocate for Applicant has invited my attention to Para 30 of Original Application and submitted that in an interview with electronic media, the concerned Minister announced that they would suspend the Education Officer (Primary) in ZP. There is nothing before the Tribunal except contention in petition as to what was exactly announced by the concerned Minister.

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12. According to learned Advocate for Applicant, the Pre-Primary Schools are governed by 'Women and Child Development Department' and has no concerned whatsoever with School Education and Sports Department. So, the Applicant is not empowered to supervise 'Pre-Primary Schools'. The Government has recently issued guidelines on 21.08.2024 for ensuring safety of students thereby mandating installments of cameras in the schools. The Applicant had no authority to mandate such installation of cameras in Pre-Primary School. For this purpose, the learned Advocate for Applicant has invited my attention to documents at Exhibit A-4 which is letter dated 11.09.2024 by CEO, Z.P. to Principal Secretary of Education and Sports Department. It appears that this letter is issued by CEO, Z.P. only on the basis of application of present Applicant for consideration of revocation of suspension.

13. On the other hand, learned CPO has placed on record certain Government Resolutions dated 07.04.2016, 05.05.2017, 20.01.2022 and 10.07.2022. Applicant has also placed on record these documents. According to Applicant, there is nothing in 'Early Childhood Care & Education' (ECCE) which would entrust responsibility of Pre-Primary Schools or Kindergarten upon Education Officer (Primary). The copy of GR. Dated 11.10.2022 at Exhibit W filed by the Applicant makes it clear that Education Department was to take action in respect of Pre Primary School on the basis of Education Policy 2020. This GR is pertaining to 'Aganwadi' Schools. It is difficult to accept on the basis of this GR that all Pre-Primary Schools are within the ambit of 'Women & Child, Development Department'.

14. Learned Advocate for Applicant has submitted that GR dated 20.01.2022 (Exhibit H) is pertaining to period of 'Covid-19'. The Government has permitted for running of schools from 24.01.2022. As per Clause 4 of said G.R., some responsibility was given to responsible officer for routine visits to Pre-Primary Schools and to forward report to the Supervisors. The G.R. dated 05.05.2017 is pertaining to entrusting of responsibility on Education Officer (Primary) and (Secondary) for installation of complaint boxes in all Primary, Secondary, Higher Secondary Schools. The G.R. dated 07.04.2016 also shows responsibility of Education Officer (Primary) and Secondary Schools to verify whether CCTVs are installed in all Primary, Higher Primary, Secondary and Higher Secondary Schools even if those are run by Private Management. It is true that word 'Pre-Primary School' is not referred in it. However, the G.R. referred to by Applicant dated 11.10.20222 does not show that Pre-Primary Schools are within the ambit of 'Women and Child Development Department'. The Applicant himself placed on record the Circular of Education Directorate dated 25.11.1983 which shows that Education Officer (Primary) is entrusted with job of management of all kind of primary education in districts and to allow grant to even to Pre-Primary Schools run by Private Management. Considering these GRs and Circulars referred above, it will be difficult to accept contention of Applicant that he has no authority to exercise any kind of control over Nurseries, Kindergarten or Primary Schools run by Private Management.

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15. 'Office Note' is filed by Respondents along with short 'Affidavit'. There is reference of occurrence of unfortunate incident in School. Secondly, Applicant has not followed the Government orders, directions etc. nor the Government was informed immediately about alleged incident.

Rule 4(1)(a) of Maharashtra Civil Services (Discipline & Appeal) Rules 1979 says that where a disciplinary proceeding against an employee is contemplated, he can be kept under suspension. The Respondents have contended in their reply that various persons are collectively responsible for ghastly incident. It is also contended that concerned School Management has already suspended the Headmistress, Class Teacher and two Female Attendants.

16. Learned CPO has submitted that they are conducting preliminary enquiry so that independent enquiry can be undertaken. It is also submitted that they may review the order of suspension after three months as per the ratio laid by the Hon'ble Supreme Court in **(Ajay Kumar Choudhary Vs. Union of India & Anr.) (2015) 7 SCC 291.**

17. Learned Advocate for Applicant has submitted that on getting information about alleged incident in School, he instructed the Block Education Officer (BEO) on 17.08.2024 to submit report on enquiry and Applicant has taken precautionary measures. It is also submitted that on the basis of suggestions of Applicant, the Government has appointed

the Committee of Management to run concerned School. Even, the Applicant has issued show cause notices to School Management.

It is not contended in the petition that on 17.08.2024, the BEO was instructed to conduct enquiry and to submit report. The copy of report submitted by BEO to present Applicant is at 'Exhibit-L'. There is no contention in this letter that he was instructed by Applicant to conduct enquiry and that instructions were given on 17.08.2024.

The Applicant has placed reliance on letter of CEO, ZP to Principal Secretary Education and Sports Department dated 11.09.2024 wherein contents in letter of present Applicant are reproduced. The said letter shows that Applicant has requested CEO, Z.P. by letter dated 11.09.2024 for review of suspension order and also contended that he has instructed 'BEO' to conduct enquiry immediately after alleged incident in the School. In absence of specific contention in report of BEO at 'Exhibit-L' about oral instructions by Applicant to him, it is difficult to accept the contention of Applicant.

It has to be noted that at one place, the Applicant is saying that he has no authority to inspect Nursery or Pre-Primary Schools run by Private Management. At the second moment, he is saying that he has issued show cause notices to the Management of School and also instructed to BEO to conduct enquiry. Considering this fact, it is also difficult to accept the contention that he has no control over Pre-Primary Schools and Nursery run by the Private Management.

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18. Learned Advocate for Applicant has also submitted that one Shri Rajesh Kankal, Education Officer, Mumbai Corporation was also suspended on the same day. But the suspension order of Shri Rajesh Kankal was revoked immediately on 10.09.2024. Learned Advocate submits that there is selective action against Applicant, so he has relied in case of **K. Sukhendar Reddy V/s State of A. P. And Another (cited above)**. But the 'Office Note' of Education and Sports Department shows that grounds for suspension of Applicant and Shri Rajesh Kankal are different. Secondly, the facts in above cited judgments are different. In that case, it was found that no D.E. was contemplated. So, this citation is not helpful to Applicant.

19. Learned Advocate for Applicant further submitted that in absence of material, the Applicant was placed under suspension and there was no application of mind for the said activity. For that purpose, he has placed reliance on the case of (i) **Union of India & Anr V/s Ashok Kumar Aggarwal (cited supra)**, (ii) **Bertha T. A. D/Mello e Deniel V/s Goa University & Anr. & (iii) Ashok Singh V/s State of Rajasthan & Ors. (cited supra)**. The Hon'ble Supreme Court has held in case of **Union of India & Anr V/s Ashok Kumar Aggarwal (cited supra)**.

20. The Hon'ble Supreme Court of India in case of **Union of India & Anr V/s Ashok Kumar Aggarwal** held as under :-

" 19. During suspension, relationship of master and servant continues between the employer and the employee. However, the employee is forbidden to perform his official duties. Thus, suspension order does not put an end to the service. Suspension means the action of debarring for the time being from a function or privilege or temporary deprivation of working in the office. In certain cases, suspension may cause stigma even after exoneration in the departmental proceedings or acquittal by the Criminal Court, but it cannot be treated as a punishment even by any stretch of imagination in strict legal sense. (Vide: O.P.

Gupta v. Union of India & Ors., AIR 1987 SC 2257; and *Capt. M. Paul Anthony v. Bharat Gold Mines Ltd. & Anr.*, AIR 1999 SC 1416).

27. Suspension is a device to keep the delinquent out of the mischief range. The purpose is to complete the proceedings unhindered. Suspension is an interim measure in aid of disciplinary proceedings so that the delinquent may not gain custody or control of papers or take any advantage of his position. More so, at this stage, it is not desirable that the court may find out as which version is true when there are claims and counter claims on factual issues. The court cannot act as if it an appellate forum de hors the powers of judicial review.

21. It is already discussed in forgoing paras that it is difficult to accept the contention of Applicant that he has no responsibility to control 'Pre-Primary' School. The different GRs referred in forgoing paras shows some responsibility of Education Officer so far as Primary Schools are concerned. It is also discussed that departmental enquiry was contemplated. It is also submitted by learned CPO that immediately after order of suspension, the Respondents are holding preliminary enquiry. It is also submitted that Tribunal should be slow while considering interference in order of suspension. For that purpose, she has relied in case of **Secretary of Govt...V/s L. Srinivasan** (cited above). Considering discussion in forgoing paras, I am of view that it is not proper at this stage to interfere in impugned order. It cannot be ignored that Applicant approached this Tribunal only after two days of suspension order.

The Applicant has also relied on the case of **Bertha T. A. D/Mello e Deniel V/s Goa University & Anr. (cited supra)**. The facts in that case appears to be different. In that matter, the charge memorandum was issued in 2023 and the charges relate to the incidents in 2010 to 2014, 2014, 2016 & 2018. Similarly, the facts in case of **Ashok Singh V/s State of Rajasthan** also appears to be different as in this matter the basis of

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suspension is compromise deed entered into between the Revenue authorities and the Villages which held without application of mind.

22. Learned CPO has submitted that another remedy was available to Applicant to prefer an appeal against the impugned order of suspension. The learned Advocate for Applicant has submitted that word 'order' in Section 19 of Administrative Tribunal Act has importance. According to him, the use of said word suggests that in exceptional cases, person aggrieved by any order pertaining to any matter within the jurisdiction of a Tribunal may make an application to the Tribunal for the redressal of his grievance. For this purpose, he relied on the judgment of Hon'ble Supreme Court in case of (i) **Utkarsh V/s State of Maharashtra** & (ii) **Harishchandra V/s State of Maharashtra (cited supra)**. The judgment of the Hon'ble Bombay High Court in case of **State of Maharashtra V/s Subhas Dhondiram Mane, (2015) 4 Bom CR 563** relied by Applicant is referred in above two judgments. In respect to the same aspect of approaching the Tribunal, the Applicant has referred the judgment in case of (i) **Ram & Shyam Company V/s State of Haryana** & (ii) **Dhampur Sugar Mills Ltd. V/s State of UP & Ors. (cited supra)**.

23. According to learned CPO the Applicant should have preferred an appeal under Section 18 of Maharashtra Civil Services (Discipline & Appeal) Rules before Governor. But the said Rule 18(1)(b) pertains to filling of appeal in case of imposing of penalties. At present, no penalty is imposed on the Applicant so it is difficult to accept that Rule 18 of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 will be applicable at this stage.

24. It has to be noted that Applicant is seeking stay to operation and execution of impugned order of suspension dated 23.08.2024. It is already discussed that as per Rule 4 (a) of Maharashtra Civil Services (Discipline and Appeal) Rules 1979, the disciplinary proceeding against the Applicant is contemplated and for that purpose Applicant can be kept under suspension. The grant of 'Interim Relief' as prayed would certainly tantamount to grant to final relief.

25. Learned CPO has also submitted that in view of the judgment of the Hon'ble Supreme Court in case of **Ajay Kumar Chowdhary** (cited supra), they can review the impugned order of suspension after three months.

26. For the reasons stated in forgoing paras, I am of the opinion that Applicant is not entitled to get 'Interim Relief' as per prayer clause 73(B) of the Original Application.

27. Accordingly, the prayer of 'Interim Relief' as prayed in Clause 73(B) of petition is rejected.

28. S.O. to 14.11.2024.

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Sd/-

(Ashutosh N. Karmarkar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p><u>08.10.2024</u></p> <p align="center"><u>O.A 1201/2024</u></p> <p>R.D Khadtare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Shri A.D Gugale, learned P.O for the Respondents.</p> <p>2. The Applicant prays that the Departmental Enquiry initiated by charge sheet dated 29.11.2014 be quashed and set aside and the applicant be granted all consequential service benefits.</p> <p>3. Learned counsel submits that the Departmental Enquiry was initiated on 29.11.2014 and the Applicant retired on 30.11.2024. Learned counsel submits that the case of the Applicant is covered by the order of this Tribunal dated 1.8.2022 in O.A 465/2022, Shri P.B Sonawane Vs. The State of Maharashtra & Ors.</p> <p>4. Learned P.O submits that all the officers from the office of Revenue & Forest Department are busy before His Excellency The Governor and seeks time.</p> <p>5. S.O to 29.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>M.A. No.607 of 2022 in O.A. No.465 of 2020</u></p> <p>G.Y. Deshpande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. CPO states that the matter is kept before the Hon'ble Chief Minister.</p> <p>3. S.O. to 22.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</p>

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	<p><u>O.A. No.683 of 2024</u></p> <p>S.B. Nalge & 5 Ors. ..Applicants 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. Advocate for the applicant prays for interim relief and states that he will lose seniority.</p> <p>3. We will consider this aspect at the time of passing order.</p> <p>4. S.O. to 11.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</p>

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	<p align="center"><u>O.A. No.11 of 2024</u></p> <p>Dr. Sunanda R. Katke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Applicant is present in person in the Court.</p> <p>2. Applicant who is personally present in the Court tenders an application dated 8.10.2024 and prays that she may be allowed to represent her case in person through video conferencing as her advocate has withdrawn his appearance from the above mater. The said application dated 8.10.2024 is taken on record and marked as Court Exhibit -1 for identification.</p> <p>3. S.O. to 11.10.2024. Interim relief, if any, to continue.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</p>

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	<p align="center"><u>OA.12/2024 with MA No.574/2024 & OA No.29/2024</u></p> <p>N.P. Patil & Ors. M.M. Bidkar & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri A.A. Gharte, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Admit.</p> <p>3. S.O. to 11.11.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 8.10.2024 8.10.2024 (sgj)</p>

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	<p align="center"><u>O.A. No.475 of 2024</u></p> <p>A.J. Kale & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri R.V. Shinde, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicants states that committee has given report on 16.8.2024.</p> <p>3. Accordingly, decision is to be taken.</p> <p>4. S.O. to 22.10.2024 for filing reply. Interim relief to continue.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 8.10.2024 8.10.2024 (sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.583 of 2024</u></p> <p>P.P. Hangargekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents are present.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 11.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.600 of 2024</u></p> <p>Dr. A.S. Kulkarni ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.D. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Presenting Officer for the Respondents, Shri K.R. Jagdale, learned Advocate for Respondent no.2 and Shri B.A. Bandiwadekar, learned Advocate for Respondents No.5 to 10.</p> <p>2. Ld. CPO seeks time.</p> <p>3. S.O. to 29.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.741 of 2024</u></p> <p>S.B. Sabale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri V.V. Kabade, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO states that she is filing reply.</p> <p>3. S.O. to 12.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</p>

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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 align="center"><u>O.A. No.756 of 2024</u></p> <p>N.P. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.A. Jadhavar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 29.10.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.809 of 2024</u></p> <p>D.S. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant refers to and relies on the judgment and order dated 9.1.2019 passed by the Aurangabad Bench of this Tribunal in OA No.576/2018 and order dated 5.3.2024 passed by the Aurangabad Bench of this Tribunal in OA No.899/2022 which are annexed to the OA and states that the present case is covered by these judgments.</p> <p>3. Ld. PO to consider these judgments while filing reply.</p> <p>4. S.O. to 11.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</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.861 of 2024</u></p> <p>P.B. Bhosure & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Ms. Uroosa Shaikh i/b. M/s. Vanguard Law Group, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 22.10.2024 by way of last chance.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 8.10.2024 8.10.2024 (sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.885 of 2024</u></p> <p>Dr. U.B. Garad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant states that in this matter the respondents have failed to mention educational qualification of the applicant at the time of DPC as it was not mentioned in the seniority list.</p> <p>3. The respondents are directed to consider the case of the applicant and if it is required it is to be placed before the special DPC.</p> <p>4. S.O. to 11.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</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 align="center"><u>O.A. No.1062 of 2024</u></p> <p>V.C. Devrukhkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>3. S.O. to 22.10.2024.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 8.10.2024 8.10.2024 (sgj)</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 align="center"><u>O.A. No.1158 of 2024</u></p> <p>Madhav R. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri O.A. Wable, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. CPO seeks time to file reply.</p> <p>3. S.O. to 22.10.2024.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 8.10.2024 8.10.2024 (sgj)</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.1197 of 2024</u></p> <p>R.R. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri S.V. Waghmare, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 22.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 8.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.10.2024</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.993 of 2022</u></p> <p>Ramzan B. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 9.10.2024. Part heard.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 8.10.2024 8.10.2024 (sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 08.10.2024

O.A.No.943/2024 with O.A.No.944/2024

A.R. Hivarkar
S.B. BandgarApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant (through video conference) and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. Learned P.O. seeks time to file affidavit-in-reply.

3. Adjourned to 29.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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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 : 08.10.2024</p> <p align="center">O.A.No.1056/2024</p> <p>M.B. SakharkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents, Mr. M.B. Kadam, learned Counsel for Respondents No.7 and 8 and Ms. Punam Mahajan, learned Counsel for Respondents No.3 to 6 (through video conference) are present.</p> <p>2. Learned Counsel Mr. Bandiwadekar has submitted that O.A.No.1056/2024 is tagged along with C.A.No.100/2024 in O.A.No.1034/2024 and is shown in the board of Division Bench today. However, he has submitted that O.A.No.1056/2024 is to be detagged from C.A.No.100/2024 in O.A.No.1034/2024.</p> <p>3. In view of the submissions of learned Counsel Mr. Bandiwadekar O.A.No.1056/2024 is detagged from C.A.No.100/2024 in O.A.No.1034/2024 and O.A.No.1056/2024 is to be placed in the board of Single Bench.</p> <p>4. Learned Counsel Mr. Bandiwadekar has submitted that in order dated 01.10.2024 the office of Respondent, State Excise Department was directed to show chart as to whether any post is going to fall vacant in next one or two months. Learned Counsel has submitted that on account of transfer from the post of Sub Inspector Excise to the post of Inspector Excise of one Mr. Kiran Pawar, the post of Sub Inspector Excise has fallen vacant. Thus, he request that the applicant can be accommodated in place of Sub Inspector Excise at Chembur, Mumbai as the name of the applicant is in the select list dated 03.10.2024 issued by the Respondent No.2 in the present O.A.</p> <p>5. Adjourned to 10.10.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.10.2024</p> <p>O.A.No.1187/2024</p> <p>R.V. VaradeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Harsh Nishar holding for Mr. A.R. Deshpande, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Counsel for Respondent No.2 are present.</p> <p>2. At the request of learned P.O. adjourned to 17.10.2024 for filing affidavit-in-reply.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.10.2024</p> <p>O.A.No.1099/2024</p> <p>A.S. AdurkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant (through video conference) and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. At the request of learned P.O. adjourned to 22.10.2024 for filing affidavit-in-reply.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.10.2024</p> <p>O.A.No.1065/2024</p> <p>G.R. RathodApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. At the request of learned Counsel adjourned to 25.10.2024 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.10.2024</p> <p align="center">O.A.No.1017/2024</p> <p>K.N. GaikwadApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosle, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Reply is filed. Admit. Place for Final Hearing.</p> <p>3. Adjourned to 22.10.2024. Interim relief, if any, to continue.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>Date : 08.10.2024</p> <p>O.A.No.1012/2024</p> <p>H.B. PhadApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji (through video conference) holding for Mr. S.S. Dere, learned Counsel for the Applicant and Mr. A.D. Gugale, learned Presenting Officer for the Respondents are present.</p> <p>2. At the request of learned P.O. adjourned to 22.10.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.10.2024</p> <p align="center">O.A.No.1001/2024</p> <p>S.M. VasekarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant (through video conference) and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Learned P.O. has filed affidavit-in-reply on behalf of Respondents No.2.</p> <p>3. It be taken on record and copy be served upon the concern.</p> <p>4. Adjourned to 29.10.2024.</p> <p align="right">Sd/- <i>(Mridula Bhatkar, J.)</i> (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.10.2024</p> <p>O.A.No.1081/2024</p> <p>A.S. DaradeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Counsel for the Applicant (through video conference) and Mr. A.D. Gugale, learned Presenting Officer for the Respondents are present.</p> <p>2. At the request of learned Counsel Ms. Mahajan adjourned to 11.10.2024. Interim relief, if any, to continue.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>08.10.2024</u></p> <p align="center"><u>O.A 1188/2024</u> (Suo Moto Speaking to the Minutes)</p> <p>Pravin R. Dighe & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.B Chalak, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The name of learned P.O Shri A.J Chougule, is wrongly shown in the cause title of the Judgment dated 26.9.2024 and it is corrected as Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>3. Ordered accordingly.</p> <p align="center"> Sd/- (Debashish Chakrabarty) Member (A) <small>Akn</small> </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson </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>08.10.2024</u></p> <p align="center"><u>O.A 1192/2024</u></p> <p>B.M Bandgar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.B Shinde, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents No 1 to 3, Shri Sagar Talekar, learned counsel for Respondent No. 4, Ms Sayali Gangal, learned counsel for Respondent No. 5, (through V.C) Shri Shantanu Patil, learned counsel for Respondent No. 6 and Shri Ameya Tawde a/w Ms Vaidehi Pradeep, learned counsel for Respondent No. 7 (through V.C)</p> <p>2. Learned counsel submits that in view of the relief prayed by the Applicant, the reply of Respondent No. 4, Respondent No. 5 and Respondent No. 7 is required. Learned counsel further submitted that twice the Applicant has served Respondent No. 7 and affidavit of service is filed to that effect.</p> <p>3. Learned counsel for Respondent No. 6 submits that he will be filing his Vakalatnama today and seeks time to file reply.</p> <p>4. Learned counsel for Respondent No. 7 seeks time to file comprehensive affidavit in reply.</p> <p>5. Last chance is given to all the Respondents to file reply and if the reply is not filed before the next date, the matter will proceed without reply as the matter pertains to selection.</p> <p>6. S.O to 22.10.2024.</p> <p align="center"> Sd/- (Debashish Chakrabarty) Member (A) <small>Akn</small> </p> <p align="center"> Sd/- (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 08.10.2024
	<p align="center"><u>O.A 1270/2024</u></p> <p>V.S Bobade ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Onkar Wable a/w Abhjeet Khade, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant prays that the Applicant be held eligible and fit to be appointed to the post of Police Shipai, SRPF, pursuant to the advertisement dated 29.2.2024 issued by Respondent No. 2 and to quash and set aside the impugned communication dated 27.9.2024.</p> <p>3. Learned counsel for the Applicant relied on the G.R dated 20.6.2024 and submitted that the Applicant has participated in the 5% category reserved for SEBC Sportsmen. Learned counsel submitted that the Sports Certificate of the Applicant is pending before the Second Appellate Authority.</p> <p>4. Learned counsel submitted that the requisite ground which is mentioned, that is 60 meters by 30 meters is for 6 on 6 Ice Hockey but the Applicant has played for 3 on 3 Ice Hockey for which the standard measurement of the ground is 74 ft by 55 ft.</p> <p>5. Learned C.P.O submitted that the Applicant cannot be beneficiary of the G.R dated 20.6.2024 as by the said G.R confusion about the affiliation of the Organization is removed as regards the Sports Association with Indian Olympic Association or Maharashtra Olympic Association.</p> <p>6. Under such circumstances, we direct the Deputy Director, Sports & Youth Services, Aurangabad, to decide the Second Appeal preferred by the Applicant on or before 18.10.2024.</p> <p>7. S.O to 21.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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 08.10.2024
	<p align="center"><u>C.A 113/2023 in O.A 700/2022</u></p> <p>R.R Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel submits that the order of this Tribunal dated 16.9.2022 is not complied with by the Respondents.</p> <p>3. Learned C.P.O submits that the Hon'ble Minister, Revenue & Forest Department, being the Competent Authority has taken conscious decision of not giving promotion to the Applicant on account of the pendency of the criminal case under the Prevention of Corruption Act. The said file was received by the Department on 12.1.2024. However, the meeting of the D.P.C was held on 7.12.2023. She accepts that the order of the Tribunal dated 16.9.2022 was not placed before the D.P.C meeting.</p> <p>4. In view of the above, it is necessary to place the order of this Tribunal dated 16.9.2022 before the D.P.C meeting which is required to be again conducted within four weeks for compliance of the order of this Tribunal dated 16.9.2022.</p> <p>5. S.O to 12.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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 08.10.2024
	<p align="center"><u>C.A 23/2024 in O.A 632/2016</u></p> <p>S.D Malwade & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Sandesh V. Kate a/w Deepak Pote i/b A.V Avhad, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel submits that the order of this Tribunal dated 14.12.2018 is not complied with. Learned counsel further submitted that the Hon'ble High Court has dismissed the Writ Petition filed by the Respondents on 18.7.2023 challenging the order of this Tribunal.</p> <p>3. Hence, we direct the Respondents to do the pay fixation of the Applicant as per Para 7(C) of the order of this Tribunal dated 14.12.2018 by 30.10.2024.</p> <p>4. S.O to 11.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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 08.10.2024
	<p align="center"><u>C.A 31/2024 in O.A 394/2022</u></p> <p>D.K Kokane ... Applicant Vs. The State of Maharashtra & 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. Learned counsel seeks time to file rejoinder.</p> <p>3. S.O to 29.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</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><u>08.10.2024</u></p> <p align="center"><u>C.A 41/2024 in O.A 428/2021</u></p> <p>S.A Kamble ... Applicant Vs. The State of Maharashtra & 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. Learned P.O submits that the file is submitted to the Hon'ble Minister and seeks time.</p> <p>3. S.O to 22.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</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><u>08.10.2024</u></p> <p><u>C.A 53/2024 in O.A 336/2015</u></p> <p>R.A Badekar ... Applicant Vs. The State of Maharashtra & 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. Learned counsel for the applicant files affidavit.</p> <p>3. S.O 29.10.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</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><u>08.10.2024</u></p> <p><u>C.A 66/2024 in O.A 918/2023</u></p> <p>N.K More Vs. ... Applicant The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the file is pending before the Hon'ble Chief Minister.</p> <p>3. S.O to 15.10.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>08.10.2024</u></p> <p align="center"><u>C.A 100/2024 in O.A 1034/2024</u></p> <p>P.S Mane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents No 1 to 3 and Shri M.B Kadam, learned counsel for Respondent No. 4 absent.</p> <p>2. Learned counsel submitted that by order dated 22.8.2024 this Tribunal has directed that if at all Respondent No. 4 ha not taken charge in place of the applicant, where the applicant is currently working then the applicant be allowed to work on the said post at Panvel, Gramin (Rural)-3, Headquarter, Uran, till next date. Respondent No. 4 has filed affidavit on 30.8.2024 and has mentioned in Para 4 that he could not take charge because the office at Panvel was locked on 19.8.2024.</p> <p>3. Learned counsel for the applicant submits that however as per report at Exh. C-4, page 16 the Respondent No. 4 has given report of the raid on 10.9.2024, but shows that he did not take charge on or before 22.8.2024 and when the Applicant was directed to continue with the charge it amounts to breach of the order of this Tribunal especially Para 6 of the said order.</p> <p>4. Learned P.O submitted that the Respondent no. 4 has reported for duty on 19.4.2024 and as he has mentioned in para 4 that he could not take charge or enter the office at Panvel, Gramin (Rural)-3 as it was locked.</p> <p>5. Learned counsel for the applicant submitted that there is procedure required to be followed to take charge which was not followed.</p> <p>6. As per the submissions of the learned P.O and the affidavit of Respondent No. 4 it appears that Respondent No. 4 has reported for duty on 19.8.2024 and order of this Tribunal of taking charge was passed on 22.8.2024. However, it was mentioned by Respondent No. 4 that he could not take charge as the office was locked.</p> <p>7. Under such circumstance, we find there is no contempt of the order of this Tribunal dated 22.8.2024 and therefore the C.A is dismissed.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <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

08.10.2024

C.A 68/2024 in O.A 853 & 854/2023

Dr V.S Patil & Ors

Dr V.A Wagh

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O submits that W.P No. 12844/2024 is filed before the Hon'ble Bombay High Court and the same is pending. Learned P.O produced copy of letter dated 11.9.2024 addressed by Shri Sachin H Kankal, Asst. Govt. Pleader to the Principal Secretary to the Government, Animal Husbandry Department, Mantralaya, Mumbai, wherein he has mentioned that when the said W.P was taken up for hearing on, the Division Bench has directed the Respondents not to press the Contempt Petition filed before the Tribunal shall seek the date after the scheduled date and adjourned the W.P on 23.9.2024. It was observed in the said letter as under:-

"The Respondents has at the same time contended that the representation made by the Respondents has not yet been decided and without there being any decision on the representation revised transfer order dated 30.6.2023 was came to be passed and therefore the order dated 15.5.2023 and 30.6.2023 are completely discriminatory in nature. Therefore, the Hon'ble Court was pleased to direct to consider the Application filed by the Respondents before the next date of hearing and to convey the decision on the said Application of the Respondents so that the Writ Petitions can be heard on the next date of hearing.

You are, therefore requested to kindly consider the representation on merit and in accordance with the Transfer Act of 2005 and pass an appropriate decision in accordance with law, so as to proceed the same before the Hon'ble Court in the above Writ Petitions and to argue the Writ Petitions on merit."

3. Learned P.O submitted that this is an oral direction given by the Division Bench in open Court and the matter is kept on 25.10.2024.

4. Learned counsel submitted that this communication is false and no such oral order is given by the Hon'ble High Court on that day.

5. In view of the above, matter adjourned to 28.10.2024.

Sd/-

(**Debashish Chakrabarty**)
Member (A)

Sd/-

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

**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
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Date: 08.10.2024

O.A. No.856 of 2024

**N.K. PatilApplicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. O.A. No.856/2024 is admitted and kept for Final Hearing. Parties to proceed positively.
3. S.O. to 14.11.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

NMN

**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
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Date: 08.10.2024

O.A. No.1433 of 2023

**S.V. RajwadeApplicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Learned P.O. files 'Affidavit-in-Reply' on behalf of Respondent Nos.1 to 3. It is taken on record.
3. S.O. to 29.01.2025.

Sd/-

(A.N. Karmarkar)
Member (J)

NMN

**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
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Date: 08.10.2024

O.A. No.501 of 2024

P.S. MadaneApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Shri A.S. Gaikwad, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. seeks 'One Week' time to file 'Affidavit-in-Reply' on behalf of Respondent. Time as prayed for is granted to learned P.O. as last chance.

3. S.O. to 15.10.2024.

^
Sd/-

(A.N. Karmarkar)
Member (J)

NMN

**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
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OA No.844/2023

S.S. Kulkarni ... **Applicant**
Vs.
The State of Mah. & Ors. ... **Respondents**

1. Smt. V.K. Jagdale, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents are present.

2. Learned PO seeks some more time to file Affidavit-in-Reply on behalf of Respondent Nos.1 & 2. Time Granted.

3. S.O. to 22nd October, 2024.

Sd/-

(A.N. Karmarkar)
Member-J
08.10.2024

(skw)

**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>OA Nos.664 & 665/2023</u></p> <p>B.N. Rangdal ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> None for Applicant. Smt. Archana B.K., learned PO holding for Shri A.J. Chougule, learned PO for Respondents are present. Learned PO seeks some more time, as there is Prayer of continuation of temporary service from 1973 to 1977. She also submits about delay in filing OA. OA was filed in June, 2023. Learned PO can raise all the objections including that of delay, if any. Considering this fact, time is granted to file Affidavit-in-Reply as 'Last Chance'. S.O. to 12th November, 2024. <p align="right">Sd/- (A.N. Karmarkar) Member-J 08.10.2024</p> <p>(skw)</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
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M.A.527/2024 in OA No.236/2024

V.S. Patil ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Applicant and his Advocate absent. Shri A.J. Chougule, learned PO for Respondents is present.
2. Affidavit-in-Reply is filed.
3. S.O. to 24th October, 2024 for Rejoinder, if any.

Sd/-
(A.N. Karmarkar)
Member-J
08.10.2024

(skw)

L.O.

Learned Advocate for Applicant then appeared.

In view of Para 3 of order passed on 22.08.2024, the Applicant sought permission to withdraw MA No.527/2024. Permission Granted. MA No.527/2024 stands disposed of as withdrawn.

Sd/-
(A.N. Karmarkar)
Member-J
08.10.2024

(skw)

**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 style="text-align: center;"><u>M.A.512/2023 in OA No.917/2023</u></p> <p>K.R. Sawale ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. None for Applicant. Shri A.J. Chougule, learned PO for Respondents is present. 2. Learned PO submits that Affidavit-in-Reply in MA and OA is filed. 3. It is made clear that if learned Advocate for Applicant does not proceed with the argument on next date, the matter will be decided on merit. 4. S.O. to 13th November, 2024. <p style="text-align: right;">Sd/- (A.N. Karmarkar) Member-J 08.10.2024</p> <p>(skw)</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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OA No.1325/2023

T.B. Borate ... **Applicant**
Vs.
The State of Mah. & Ors. ... **Respondents**

1. Ms. Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents are present.

2. The learned Advocate for Applicant has submitted that the say of Respondent No.2 is necessary.

3. Learned PO submits that she has received instructions and therefore seeks short time to file Affidavit-in-Reply on behalf of Respondent No.2, as only affirmation is remained.

3. Learned Advocate for Applicant objecting for grant of further time to file Affidavit-in-Reply.

4. However, in the interest of justice, one week time is granted for filing Affidavit-in-Reply.

5. S.O. to 18th October, 2024.

Sd/-

1816
(A.N. Karmarkar)
Member-J
08.10.2024

(skw)

**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
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OA No.54/2024

S.S. Jagdale ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Smt. V.K. Jagdale, learned Advocate for Applicant and Shri A.J. Chougule, learned PO for Respondents are present.
2. Learned PO submits that Affidavit-in-Reply is ready and only affirmation is remained. She seeks short time. Time Granted.
3. S.O. to 18th October, 2024.

Sd/-

(A.N. Karmarkar)
Member-J
08.10.2024

(skw)

**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 style="text-align: center;"><u>OA No.116/2024</u></p> <p>P.S. Joshi ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. Archana B.K., learned PO for Respondents are present.</p> <p>2. Mr. Vijay Bhoje, Motor Vehicles Prosecutor from the Office of Transport Commissioner, Mumbai is present.</p> <p>3. Learned PO submits that Department has received the order of Tribunal and having filing Affidavit-in-Reply.</p> <p>4. S.O. to 21st October, 2024.</p> <p style="text-align: right;">Sd/- (A.N. Karmarkar) Member-J 08.10.2024</p> <p>(skw)</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
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OA No.189/2024

Dr. N.S. Saindane ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri J.S. Deshmukh, learned Advocate for Applicant through Video Conference and Smt. K.S. Gaikwad, learned PO for Respondents.

2. Learned PO submits that Applicant is now transferred to General Hospital, Malegaon, District Nashik.

3. The learned Advocate for Applicant submitted that he will confirm from his client about his transfer order.

4. S.O. to 12th November, 2024.

Sd/-

(A.N. Karmarkar)
Member-J
08.10.2024

(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>M.A.517/2024 in OA No.1011/2024</u></p> <p>A.L. Koli ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Shri A.V. Bandiwadekar, learned Advocate for Applicant and Shri A.J. Chougule, learned PO for Respondents are present. 2. Read the earlier order. 3. Learned PO seeks short time to file Affidavit-in-Reply. Time Granted as 'Strictly Last Chance'. 4. S.O. to 11th October, 2024. <p style="text-align: right;">Sd/- (A.N. Karmarkar) Member-J 08.10.2024</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>M.A.376/2024 in OA No.767/2024</u></p> <p>G.A. Shinde ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Smt. Punam Mahajan, learned Advocate for Applicant and Shri A.D. Gugale, learned PO for Respondents are present.</p> <p>2. Learned PO seeks short time to file Affidavit-in-Reply. Time Granted.</p> <p>3. S.O. to 22nd October, 2024.</p> <p align="right">Sd/- (A.N. Karmarkar) Member-J 08.10.2024</p> <p>(skw)</p>

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

Tribunal's orders

M.A.589/2024 in OA No.1263/2024

S.S. Kakad

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents are present.

2. Issue notice to Respondents made returnable on 12.11.2024.

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

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

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988.

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

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

7. S.O. to 12th November, 2024.

Sd/-

(A.N. Karmarkar)
Member-J
08.10.2024

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO.1289 OF 2024

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

Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant
Mr. D.B. Patil, learned Presenting Officer for the Respondents

CORAM : **Justice Mridula Bhatkar, Chairperson**

DATE : **08.10.2024**

O R D E R

1. Applicant is working as Police Inspector at Santacruz Police Station since 01.03.2023. Applicant challenges order dated 04.10.2024 (Exhibit-A) transferring him from Santacruz Police Station to Nagpur City in view of the directions of the Election Commission dated 31.07.2024.

2. Learned Counsel has challenged the transfer order on the following grounds :

(a) Applicant is transferred invoking Section 22N of the Maharashtra Police Act, 1951.

(b) Applicant has not completed requisite period of two years at Santacruz Police Station.

(c) Applicant was transferred from Naigaon, Mumbai (Greater Bombay City) to Santacruz (Mumbai Suburban District) which is treated as different Revenue District. Thus as per Clause 11 of the guidelines dated 31.07.2024 issued by the Election Commission for the ensuing General Elections to Legislative Assembly in Maharashtra the transfer orders are to be issued before 20.08.2024.

(d) Applicant's son is studying in 12th Standard (Science) and daughter has taken admission for 4th year LL.B course.

(e) It is necessary to hold PEB-II meeting and report, before issuing the transfer order of the applicant. Therefore it is violative of Section 22J(b) of the Maharashtra Police Act, 1951

3. Learned Counsel has submitted that there is practical difficulty in implementing the transfer / posting order of the Police Officers for General Elections Legislative Assembly of 2024. Learned Counsel has pointed out letter dated 27.09.2024 written by Mr. S. Jayakumar, Joint C.P. (Admn.) Mumbai to the Director General of Police, Maharashtra State, Mumbai, wherein it is mentioned that 131 officers, (ACP-1, PI-130) have completed 3 years of last 4 years and eligible for transfer from Mumbai Police Commissionerate and further he has mentioned that as on 27.09.2024 there are 213 vacancies of the rank of PI in Mumbai City and 50 PI rank officers which have been transferred from other District to Mumbai D.G. office have not joined. Thus, with the vacancies of 330 plus it will be challenging to conduct the elections.

4. Learned Counsel has submitted that on 27.09.2024 three options were called from Respondent No.1 through Respondent No.3 and the applicant has given three options which are

- (i) Thane Mumbai Police Commissionerate.
- (ii) Navi Mumbai Police Commissionerate
- (iii) Mira Bhayandar, Palghar Police Commissionerate

However, none of these were considered and applicant is directly transferred to Nagpur. Learned Counsel has submitted that applicant is not relieved and nobody is posted on the post of applicant.

5. Learned P.O. on instructions is unable to answer whether Respondents No.1 to 3 have violated Clause 11 of guidelines dated 31.07.2024 issued by the Election Commission. Learned P.O. seeks time to file affidavit-in-reply.

6. Considered submissions of learned Counsel and also gone through the relevant Clauses and guidelines of Election Commission dated 31.07.2024. Clause 11 of guidelines dated 31.07.2024 issued by the Election Commission reads as below :

"11. The Commission has further directed that transfer/posting of all officers covered under the above instructions shall be done and compliance reports by Chief Secretary and DGP with details of action obtained from the concerned departments/ offices of State Government shall be furnished to the Commission by 20th August, 2024."

6. Considered submissions of learned Counsel and also gone through the relevant Clauses and guidelines of Election Commission (emphasis placed)

As per the directions given in Clause 11 it was obligatory on the part of Respondent-State to issue the transfer orders on or before 20.08.2024. The applicant has not completed the requisite period of two years. Hence, the transfer order is stayed. Also

Section 22J(b) of the Maharashtra Police Act, 1951 reads as below :

(b) The Board shall be authorized to make appropriate recommendations to the Police Establishment Board No.2 regarding the postings and transfers out of the Commissionerate, of the Police Officers, of, the rank of Police Sub-Inspector to Police Inspector.

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

8. Issue notice before admission returnable on 15.10.2024.

9. 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.

10. 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.

11. 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.

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

13. In view of above, applicant to start working on his post as Police Inspector, Santacruz Police Station today itself. Adjourned to 15.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 08.10.2024

O.A.No.876/2024

S.W. KhadseApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. Admit. Place for Final Hearing.

3. Adjourned to 29.10.2024.

Sd/-

/(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 08.10.2024

O.A.No.851/2024

V.R. Chavan (Nirdhar)Applicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. U.V. Bhosle, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. C.T. Chandratre, learned Counsel for the Respondent No.4 are present.

2. Learned P.O. has submitted that affidavit-in-reply is filed.

3. Admit. Place for Final Hearing.

4. Adjourned to 22.10.2024 with liberty to file rejoinder, if any. Interim relief, if any, to continue.

Sd/-

/ (Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 08.10.2024

O.A.No.1103/2024

H.B. Vispute

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents
2. Not on board. Taken on board as praecipe dated 08.10.2024 is filed by learned Counsel Mr. Jagdale requesting to prepone the O.A.
3. O.A. is already adjourned to 17.10.2024. As no urgency is made out prayer for preponing the matter stands rejected.
4. In view of above O.A. is adjourned to 17.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 08.10.2024 O.A No. 1288/2024 Tribunal No. 1288/2024</p>
	<p>S.A. Rathor .Applicant</p> <p>Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Mr. A.D. Gugale, learned Presenting Officer for the Respondents are present.</p> <p>2. Learned Counsel has submitted that applicant's case is covered by the order of this Tribunal dated 03.10.2024 (Exhibit-H) passed in O.A.No.1243/2024. Learned Counsel has submitted that applicant is working as Inspector Motor Vehicle Regional Transport Officer, Solapur challenges order dated 24.09.2024 to the extent that the applicant has been called upon to submit the choice of Revenue Division under the Divisional Cadre Allotment Rules, dated 14.07.2021. Though the applicant has informed respondents by representations dated 12.07.2024 and 26.09.2024 that they are not interested in promotion for the post of Inspector of Motor Vehicles. Respondents are required to take into account clause 5 of the G.R. dated 12.09.2016.</p> <p>3. Learned P.O. seeks time to file affidavit-in-reply.</p> <p>4. Respondents to consider Clause 5 of G.R. dated 12.09.2016 while preparing affidavit. It appears that the case of the present applicant is similar to that of O.A.no.1243/2024 which is relied by learned Counsel.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 15.10.2024.</p> <p>7. 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>

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

Tribunal's orders

8. 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.

9. 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.

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

11. In view of above, adjourned to 15.10.2024. Parties are directed maintain status quo till next date.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

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

Tribunal's orders

**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>Date: 08.10.2024</p> <p>O.A. No.1445 of 2023</p> <p>M.D. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. It is brought to my notice that already 'Interim Relief' is granted.</p> <p>3. Learned P.O. seeks 'One Week' time to file 'Affidavit-in-Reply' on behalf of Respondent. Time as prayed for is granted to learned P.O.</p> <p>4. 'Interim Relief' to continue, if any.</p> <p>5. S.O. to 17.10.2024.</p> <p style="text-align: right;">^ Sd/- (A.N. Karmarkar) Member (J)</p> <p>NMN</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>Date: 08.10.2024</p> <p>O.A. No.503 of 2024</p> <p>R.A. JoshiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Smt. V.K. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'Four Weeks' time to file 'Affidavit-in-Reply' on behalf of Respondent. Time as prayed for is granted to learned P.O. as last chance.</p> <p>3. S.O. to 13.11.2024.</p> <p style="text-align: right;">^ Sd/- 81° (A.N. Karmarkar) Member (J)</p> <p>NMN</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>Date: 08.10.2024</p> <p>O.A. No.509 of 2024</p> <p>S.D. GawadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant seeks 'One Week' time to file 'Affidavit-in-Rejoinder' on behalf of Applicant. Time as prayed for is granted to learned Advocate for Applicant.</p> <p>3. S.O. to 17.10.2024.</p> <p style="text-align: right;">Sd/-  (A.N. Karmarkar) Member (J)</p> <p>NMN</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
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Date: 08.10.2024**O.A. No.560 of 2024****B.D. Chavan****.....Applicant****Versus****The State of Maharashtra & Ors.****.....Respondents.**

1. Shri A.V. Bandiwadkar, learned Advocate for the Applicant and D.R. Patil, learned Presenting Officer for the Respondents.

2. Learned P.O. submits that retirement dues are already given to the Applicant.

3. Learned Advocate for Applicant states that he wants to confirm it from his client.

4. Learned Advocate for Applicant seeks time to file 'Affidavit-in-Rejoinder' on behalf of Applicant, if any.

5. S.O. to 14.11.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

NMN