

**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>M.A. No.449 of 2021 in O.A. No.88 of 2020</u></p> <p>Dr. V.R. Bhailume ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant relied on the judgment of the Hon'ble Supreme Court in Bhagirathi Jena Vs. Board of Directors, OSFC, 1999(4) Supreme 9, which is pertaining to initiation of proceedings after superannuation of the delinquent for the purpose of retiral benefits payable to the delinquent. The Hon'ble Supreme Court held that, the Corporation had no legal authority to make any reduction in the retiral benefits of the appellant.</p> <p>3. In the present case issue is whether charge sheet can be served after retirement. This judgment of Bhagirathi Jena is not the answer to that question. Hence, it is not applicable.</p> <p>4. Ld. Advocate for the applicant also relied on the judgment of the Hon'ble Bombay High Court in Dhairyasheel A. Jadhav Vs. Maharashtra Agro Industrial Development Corporation Ltd. Mumbai, (2010) 5 Bom.CR. 307. In this case the charge sheet was served on the employee on the date of retirement i.e. 31.12.2003 in respect of lapses and misconduct during 2001-2002 and 2002-2003. Hence, enquiry was challenged. In the said judgment Rule 27 of MCS (Pension) Rules was relied. The Hon'ble High Court held that Rule 27 of MCS (Pension) Rules provides for conducting the enquiry against employee after superannuation and in view of the said provisions and underlying principle the enquiry is deemed to be continued after superannuation. However, MCS (Discipline & Appeal) Rules do not lay down any provision analogous to Rule 27(2)(a) of MCS (Pension) Rules. When there is ceasure of the relationship as an employee and employer between</p>

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	<p>Government servant and Government, there is no provision of continuing enquiry and there is no provision in MCS (Discipline & Appeal) Rules to institute enquiry after superannuation.</p> <p>5. In the case of Dhairyasheel A. Jadhav (supra), the Hon'ble Bombay High Court has relied on the ratio laid down in Bhagirathi Jena (supra) mainly on the point that when a particular rule is absent then enquiry or recovery of pension is not permissible.</p> <p>6. Id. Advocate for the applicant has raised three points in this matter specially for granting interim relief:</p> <p>(1) The applicant is not served the charge sheet and enquiry is instituted after his retirement on 28.2.2019 and charge sheet is served on 3.9.2019 i.e. after 6 months.</p> <p>(2) The incident has taken place in May, 2009 and detected in 2014. However, charge sheet was served on 3.9.2019.</p> <p>(3) Though show cause notice was given to codelinquent viz. Dr. Bhalchandra Donglikar for initiation of enquiry on 20.3.2017, no DE was initiated against him and therefore on that point applicat should get the benefit.</p> <p>7. S.O. to 10.12.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 8.12.2021</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 8.12.2021</p> </div> </div> <p>(sgj)</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">O.A. No.954 of 2021</p> <p>J.H. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.S. Desai, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order of punishment dated 13.10.2021 whereby punishment of withholding of two increments with cumulative effect has been imposed.</p> <p>3. When matter is taken up for admission, it is noticed that the Applicant has directly challenged order of punishment in the present O.A. without filing appeal before appellate authority as provided under the provision of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. Admittedly impugned order is appealable. This being the position, O.A. is not maintainable without exhausting remedy of appeal.</p> <p>4. Releasing the mistake, learned Advocate for the Applicant seeks permission to withdraw the O.A. with liberty to file appeal before appellate authority. Liberty granted.</p> <p>5. O.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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: 08.12.2021</p> <p>O.A. No.1112 of 2019</p> <p>K.B. Solanki & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent Nos.1 & 3 and also Additional Affidavit-in-Sur Rejoinder on behalf of Respondent Nos.1 & 3 separately. It is taken on record.</p> <p>3. Adjourned for hearing.</p> <p>4. S.O. to 14.12.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 08.12.2021</p> <p align="center">O.A. No.20 of 2021</p> <p>N.K. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant submits that the Original Applicant died on 09.09.2021, and therefore, his heirs needs to be substituted in place of the deceased. 3. On request of learned Advocate for the Applicant two weeks time is granted to file M.A. for substitution of heir. 4. S.O. to 05.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">O.A. No.773 of 2021</p> <p>Dr. S.G. KadamApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, 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 for filing Affidavit-in-Reply.</p> <p>3. S.O. to 23.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 08.12.2021</p> <p align="center">O.A.No.988 of 2019</p> <p>V. Y. MokashiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. R. Joshi holding for Shri V.V.Joshi, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed additional Affidavit-in-Reply on behalf of the Respondent Nos.1 to 3. IT is taken on record.</p> <p>3. When the matter is taken up for hearing, learned Counsel for the Applicant submits that he wants to amend O.A. since there is no prayer to challenge the order dated 03.08.2019 whereby interest is rejected.</p> <p>4. Two weeks time is granted to take necessary steps.</p> <p>5. S.O. to 22.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">M.A.412 of 2021 in O.A. No.781 of 2021</p> <p>S.A. DmelloApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.H. Hendre, 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 for filing Affidavit-in-Reply for M.A. as last chance.</p> <p>3. S.O. to 22.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">M.A.316 of 2021 in O.A. No.658 of 2021</p> <p>P.R. KshirsagarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.H. Hendre, learned Advocate holding for Shri V.V. Joshi, 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 for filing Affidavit-in-Reply for M.A. as last chance.</p> <p>3. S.O. to 22.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 08.12.2021</p> <p align="center">M.A. No.565 of 2021 in M.A.No.487 of 2021 in O.A.No.644 of 2021</p> <p>Shri A. J. SayyadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.K. Hande, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. These Misc. Applications are filed for condonation of delay of 54 days and for restoration of O.A. which was dismissed in default on 27.08.2021.</p> <p>3. Learned Counsel for the Applicant submits that due to certain miscommunication, he could not comply the condition order dated 27.08.2021 whereby he was required to collect notices for service and to file affidavit of service within three days before returnable date.</p> <p>4. In the interest of justice, O.A. is restored to file for deciding the same on merit subject to cost of Rs.2500/- as condition precedent.</p> <p>5. If the cost is deposited within seven days from today, O.A. be listed before the Tribunal. If the cost is not paid within seven days, proceeding deemed to have been dismissed in default without reference to Tribunal.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.12.2021</p> <p style="text-align: center;">O.A.No.556 of 2021</p> <p>V. D. Shardul ...Applicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant stands retired on 30.11.2016 from the post of Deputy Superintendent, State Excise. However, his retiral benefits were withheld due to pendency of one D.E. he waited for five years and thereafter filed this O.A. 3. Today, O.A. is taken up for admission and final disposal at the stage of hearing since the Applicant is deprived of retiral benefits for five years due to sheer laxity and negligence on the part of Respondents to complete the D.E. 4. Learned P.O. on instructions submits that D.E. is already completed and punishment of deduction of 3% pension per month for year is proposed and it is pending with M.P.S.C. for approval. 5. It is thus explicit that D.E. which was initiated in 2017 is still not culminated in final order. Indeed, D.E. was required to be completed within six months or latest within one year in terms of various instructions or G.Rs issued by the Government. Suffice to say, there is inordinate and huge delay due to sheer laxity on the part of Respondents in completing D.E. 6. Be that as it may, now since no proposal is pending with M.P.S.C., this O.A. can be disposed of with suitable directions without further delay. 7. Respondent No.1 is directed to ensure necessary orders from M.P.S.C. at the earliest, if necessary by deputing special officer in M.P.S.C. for the same and to pass final order in D.E. within a month from today in accordance to rules. 8. Respondent No.1 is further directed to release retiral benefits of the Applicant within two weeks thereafter subject to decision in D.E. without fail. 9. The Applicant is at liberty to avail independent remedy to grant of interest. 10. No order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date: 08.12.2021</p> <p align="center">M.A.562 of 2021 with M.A. No.536 of 2021 in O.A. No.25 of 2021</p> <p>Smt. S.W. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. O.A. No.25/2021 is filed by Original Applicant, Shri Waman Babu Pawar challenging order dated 12.08.2016 alongwith Application for Condonation of delay (M.A. No.09/2021).</p> <p>3. During the pendency of M.A. No.09/2021 & O.A. No.25/2021, Original Applicant Shri W.B. Pawar died on 25.04.2021, therefore after his death his widow Smt. Subhdra W. Pawar has filed these M.A. Nos.562/2021 & 536/2021 for substitution of her name in place of deceased Original Applicant and also prayed to condone the delay caused in filing Application for substitution of heirs.</p> <p>4. As per the provision of Civil Procedure Code, heirs are to be brought on record within 90 days, there being delay of seven months and Application for Condonation of delay is filed.</p> <p>5. In Original O.A. deceased Applicant has challenge order of recovery from pension, as such it being arising out of pension, I am inclined to condone delay caused in bringing heir on record.</p> <p align="right">[P.T.O.]</p>

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	<p>6. In view of above, M.A. No.562/2021 & M.A. No.536/2021 are allowed with no order as to costs.</p> <p>7. Name of the widow of Original Applicant be substituted in place of Original Applicant in M.A. No.09/2021 as well as O.A. No.25/2021.</p> <p>8. M.A. No.09/2021 be kept for hearing.</p> <p>9. S.O. to 06.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">O.A. No.973 of 2021</p> <p>S.S. ThoratApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, 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 07.07.2017 whereby he was suspended in view of registration of crime under Section 370, 465, 468, 471, 419, 420 with 34 of I.P.C. Review was taken but suspension was continued.</p> <p>3. Learned Advocate for the Applicant submits that the Applicant is subjected to prolong suspension without passing reason order as to why suspension is not revoked. He has further pointed out that in criminal Offence till date no charge-sheet is filed in the Court of law. As regard, initiation of D.E. it was initiated in 2017, witnesses are also examined but no final decision is taken.</p> <p>4. In view of above, this O.A. is expedited.</p> <p>5. Issue notice before admission returnable on 04.01.2022.</p> <p>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p>

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	<p>7. 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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.</p> <p>10. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>11. S.O. to 04.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">M.A.560 of 2021 in O.A. No.987 of 2021</p> <p>B.A. YadavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M.A. is filed for Condonation of delay caused in filing O.A. wherein the Applicant has challenged order dated 11.11.2019 whereby recovery of Rs.90,817.47/- (Ninety Thousand Eight Hundred Seventeen and Forty Seven paisa Only) is sought towards unauthorized occupation of service quarter. 3. Issue notice before admission returnable on 12.01.2022. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file ^{KPTD} Affidavit of compliance and notice.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 12.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 08.12.2021</p> <p align="center">O.A. No.356 of 2020</p> <p>M.D. MireApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate Shri K.R. Jagdale are absent. 2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. 3. Learned Advocate Shri K.R. Jagdale was present in the morning session ^{in other matters} but now absent when the matter is called for hearing in afternoon session. 4. In the interest of justice adjourned shortly. 5. S.O. to 10.12.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">O.A. No.291 of 2018</p> <p>V.D. DangatApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant short time is granted for Final Hearing.</p> <p>3. S.O. to 15.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 08.12.2021</p> <p align="center">O.A. No.475 of 2019</p> <p>D.T. LawateApplicant 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. In this O.A. Secretary, Finance Department, Mantralaya, Mumbai is added as Respondent No.2 on previous date and today matter is for filing Reply by Respondent No.2.</p> <p>3. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>4. S.O. to 22.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 08.12.2021</p> <p align="center">O.A. No.1189 of 2019</p> <p>D.J. AmbilwadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. The Applicant Shri D.J. Ambilwade is conducting this matter in Person but he is absent.</p> <p>2. Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</p> <p>3. In this O.A. there are orders passed by the Tribunal earlier that this O.A. will be taken up for hearing after decision of another O.A. No.460/2021 pending before Hon'ble Division Bench.</p> <p>4. Learned P.O. submits that the said O.A. is still pending.</p> <p>5. In view of above, this O.A. needs to be adjourned. It be kept on 07.01.2022, since on that day another O.A. filed by this Applicant is already kept for hearing.</p> <p>6. S.O. to 07.01.2022</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

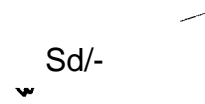
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 08.12.2021</p> <p align="center">O.A. No.455 of 2021</p> <p>M.R. KadaneApplicant 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. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.1. It is taken on record.</p> <p>3. S.O. to 13.12.2021.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 08.12.2021</p> <p align="center">O.A. No.812 of 2021</p> <p>P.G. SoudeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, 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 for filing Reply by way of last chance.</p> <p>3. S.O. to 24.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 08.12.2021</p> <p align="center">O.A. No.802 of 2021</p> <p>N.B. KolekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. 3. Respondent Nos.2, 3, 4 are private Respondents, they are served but absent. 4. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder. 5. S.O. to 23.12.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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 : 08.12.2021</p> <p align="center">O.A.No.411 of 2019</p> <p>S.P. KapileApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. pertains to reimbursement of medical bill.</p> <p>3. During the course of hearing, it is transpired that since the medical bill was above 3 Lakh, it was placed before the Committee formed in terms of G.R. dated 04.04.2014. Accordingly, the matter was placed before the Committee in its meeting dated 06.06.2017. According to Respondents, though the Applicant has spent more amount, the reimbursement was sanctioned as per the decision of Committee. However, curiously minutes of meeting of committee dated 06.06.2017 are not forthcoming. It is, therefore, necessary to know how the amount is deducted and reasons, if any, mentioned in the minutes of the said committee.</p> <p>4. Learned P.O. is, therefore, directed to produce minutes of meeting dated 06.06.2017 on next date.</p> <p>5. S.O. to 10.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p align="right">[PTO.</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: 08.12.2021</p> <p align="center">M.A.563 of 2021 in O.A. No.711 of 2021</p> <p>M.N. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. This M.A. is filed for amendment of O.A. to bring on record certain documents <i>inter-alia</i> contending that in 2011 also Application was made for appointment on compassionate ground. 3. As such, the proposed amendment will not change the nature of O.A. 4. In view of above, I am inclined to grant amendment Application. 5. Amendment be carried out within a week. 6. Respondents shall file Reply to the amended O.A. by next date. Three weeks time is granted. 7. S.O. to 05.01.2022. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</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
	<p>Date: 08.12.2021</p> <p style="text-align: center;">O.A. No.983 of 2021</p> <p>P.G. KokitkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 12.01.2022. 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 Original Application. 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, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 12.01.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: center;">NMN</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: 08.12.2021</p> <p align="center">O.A. No.558 of 2021</p> <p>V.A. Gawade & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2 & 3. It is taken on record. No separate Reply is filed on behalf of Respondent No.1 3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder. 4. S.O. to 23.12.2021. <p align="right">Sd/- W (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 08.12.2021</p> <p>O.A. No.742 of 2021</p> <p>S.R. WavreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> Applicant and his Advocate both are absent. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply. S.O. to 24.12.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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">Date: 08.12.2021</p> <p align="center">O.A. No.696 of 2021</p> <p>V.V. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, 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 for filing Reply lastly.</p> <p>3. S.O. to 23.12.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</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: 08.12.2021</p> <p align="center">O.A. No.669 of 2021</p> <p>P.P. GiriApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today matter is for filing Rejoinder but the same is not filed. 3. Adjourned for hearing at the stage of admission with liberty to file Rejoinder by next date with service of copy to learned P.O. in advance. 4. S.O. to 05.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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">Date: 08.12.2021</p> <p align="center">O.A. No.541 of 2021</p> <p>S.R. KakadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, 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. Adjourned for hearing at the stage of admission. 4. S.O. to 06.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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">Date: 08.12.2021</p> <p align="center">O.A. No.477 of 2020</p> <p>M.S. MarkandApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. No separate Reply is filed on behalf of Respondent No.1</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 06.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</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">Date: 08.12.2021</p> <p align="center">O.A. No.844 of 2021</p> <p>C.S. LokhandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. 3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder. 4. S.O. to 23.12.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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 : 08.12.2021</p> <p align="center">O.A.No.95 of 2020</p> <p>P.D. SakundeApplicant Vs. The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant states that he has already submitted rejoinder on the last occasion.</p> <p>3. Admit. Adjourned to 17.01.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">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 : 08.12.2021</p> <p align="center">M.A.No.547 of 2021 in O.A.No.439 of 2021</p> <p>The State of Maharashtra & OrsApplicants (Org. Resps.) Vs. U.D. MoreRespondents (Org. Applis)</p> <p>1. Heard Mr. A.J. Chougule, learned Presenting Officer for the Applicants (Org. Respondents) and Mr. Bhushan A. Bandiwadekar, learned Advocate for the Respondents (Org. Applicants).</p> <p>2. Suo moto speaking to minutes. In the order dated 08.09.2021 at paragraph 2, line 4 the word <u>'his husband'</u> be substituted by <u>'her husband'</u>.</p> <p>3. The learned P.O. moves M.A.No.547/2021 for extension of time for implementation of order dated 08.09.2021 passed in O.A.No.439/2021, wherein the time limit for deciding the appeal was 30.11.2021. The reasons cited are Hon'ble Minister is the candidate in the ensuing election of Vidhan Parishad for which code of conduct was declared on 16.01.2021. The process of election will be completed by 16.01.2022. Therefore he request for extension of time till 28.02.2022.</p> <p>4. M.A.No.547/2021 filed for extension is allowed. Appeal to be decided by the Government on or before 28.02.2022 and this is the last time granted.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>Date : 08.12.2021</p> <p align="center">O.A.No.319 of 2021</p> <p>D.L. ChavanApplicant Vs. The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Mr. R.L. Kulkarni, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that she will file affidavit-in-reply during the course of the day. The same be taken on record. Copy be served upon learned Advocate.</p> <p>3. At the request of learned Advocate adjourned to 19.01.2022 for rejoinder.</p> <p align="center"> Sd/- (Medha Gadgil) Member(A) </p> <p align="center"> 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 align="center"><u>O.A. No.210 of 2021 with M.A. No.111 of 2021</u></p> <p>Ramhari L. Bhong ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Prachi Hendre holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant has filed a Praecipe dated 8.12.2021 seeking permission to withdraw the above OA and MA on instructions from the applicant.</p> <p>3. OA and MA are allowed to be withdrawn and disposed off as such.</p> <p align="center"> Sd/-  (Medha Gadgil) Member (A) 8.12.2021 (sgi) </p> <p align="center"> Sd/-  (Mridula Bhatkar, J.) Chairperson 8.12.2021 </p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.981 of 2021</u></p> <p>Ajit V. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Krishna Agrawal i/b. Talekar & Associates, 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 seeks leave to amend the OA. Leave granted. Amendment be carried out and amended copy be served on all concerned.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 25.1.2022. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- Sd/- </p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 8.12.2021 8.12.2021</p> <p>(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.982 of 2021</u></p> <p>S.S. Kokane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. 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 24.1.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 8.12.2021 8.12.2021</p> <p>(sgj)</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>CA.19/2020 in OA.1158/16 with OA.352/17 with OA.353/17</u></p> <p>S.K. Goraksha & 23 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time as the matter is in the office of Accountant General for further clearance.</p> <p>3. S.O. to 19.1.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 8.12.2021</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 8.12.2021</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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CA No.20/2021 in OA No.55/2018 & OA No.56/2018

A.T. Mane

N.B. Kamble

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO produces copy of order dated 1.12.2021 passed by the Hon'ble High Court in W.Ps. No.8302/2021 & 8303/2021 filed by the State against the original applicants wherein Shri Gaurav Bandiwadekar, Ld. Advocate for the respondents-original applicants has given undertaking not to press the contempt petitions filed in this Tribunal.

3. In view of the above, the matter is adjourned to 19.1.2022.

Sd/-

(Medha Gadgil)
Member (A)
8.12.2021

(sg)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
8.12.2021



**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>CA No.42 of 2021 in OAs.678, 679 & 680 of 2020</u></p> <p>S.S. Mujawar & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Dr. V. Clamaint Ben, Chief Conservator of Forest (T), Kolhapur is personally present in the Court.</p> <p>3. Ld. CPO submits that State has filed W.P. No.8655 of 2021 wherein Shri Bandiwadekar, Ld. Advocate for the respondents-original applicants have stated that he would not press the contempt petition today.</p> <p>4. S.O. to 17.12.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>8.12.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>8.12.2021</p> </div> </div>

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

Tribunal's orders

Date : 08.12.2021

O.A.No.480 of 2021 with O.A.No.481 of 2021

Y.D. Kanoja (O.A.480/2021)

N.H. Salunke (O.A.481/2021)Applicants

Vs.

The State of Maharashtra & Ors. Respondents

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. In the course of arguments it is found that the copy of Notification dated 07.07.1999 which are referred and relied in the affidavit-in-reply dated 14.09.2021 filed by Respondent No.1, through Mr. Chandrasen Ramkrishna Pawar, Tahsildar Revenue, Collector Office Palghar is illegible and incomplete.
3. The learned P.O. submits that she wants time to produce the legible and complete copy of the said Notification.
4. A query was raised by this Tribunal to the learned Advocate as to whether he has served all the Respondents.
5. The learned Advocate produces copy of service report on the Private Respondents in both the matters. Copy of service report is tendered by learned Advocate wherein it is shown that the affidavit of service report is filed in the Registry on 29.07.2021.
6. We direct the applicant to produce the seniority list of 03.09.2014.
7. Adjourned to 10.12.2021. Part Heard

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

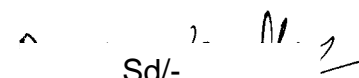
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 08.12.2021</p> <p align="center">O.A.No.962 of 2014</p> <p>D.B. ChitaleApplicant Vs. The State of Maharashtra & Ors. Respondents</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Matter is in respect of 'regularization of service', so the matter should go before the Single Bench.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>