

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.12.2022</p> <p>O.A.No.1231 of 2022</p> <p>A. R. SonawaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the order dated 05.12.2022 issued by the Respondent No.1 whereby he is relieved and his services are repatriated to Respondent No.2 w.e.f. date of order.</p> <p>3. Learned Counsel for the Applicant sought interim relief <i>inter-alia</i> contending that the Applicant is relieved unilaterally without consultation of Respondent No.2 (Finance Department) and without giving any show cause notice to the Applicant.</p> <p>4. Learned P.O. opposes interim relief stating that repatriation of Applicant to parent department was necessitated in view various complaints against performance and behavior of the Applicant.</p> <p>5. The Applicant's parent department is Finance Department (Respondent No.2). The Finance Department by order dated 17.11.2021 temporarily promoted the Applicant and gave posting to him on the establishment of Respondent No.1 (Food, Civil Supply & Consumer Protection Department). The services of the Applicant was attached to Food and Civil Supply Department in terms of G.R. dated 08.02.2018 which <i>inter-alia</i> provides for availing such services by other department. True, in G.R. dated 08.02.2018, it is stated that in case of repatriation or reposting, the Finance Department be consulted.</p> <p style="text-align: right;">[P.T.O.]</p>

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	<p>6. In present case, there seems to be no consultation with Finance Department as concedes by learned P.O. However, perusal of file tendered by learned P.O. reveals that there were several complaints of staff as well as Union against the Applicant about his functioning, behavior etc. Accordingly, the cause^{note} prepared by the department and it was approved by the Minister of the department. Thus, <i>prima-facie</i>, immediate repatriation/reposting of the Applicant was found necessitated for smooth functioning of Food and Civil Supply Department in which the Applicant was temporarily posted on promotion. As such, this is not a case of transfer which requires compliance of certain provisions under Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.</p> <p>7. Hence, no case is made out to grant interim relief.</p> <p>8. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>9. Issue notice before admission returnable on 09.01.2023.</p> <p>10. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>11. 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>12. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>13. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>14. S.O. to 04.01.2023. Sd/-</p>

(A.P. Kurhekar)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.12.2022</p> <p align="center">O.A. No.305 of 2022 along with connected O.As</p> <p>M.P. Patil & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. During the course of hearing, learned Advocate for the Applicants has raised issue that candidates who were junior in terms of seniority as well as in terms of making applications for Inter District Transfer were relieved.</p> <p>3. In this behalf, he referred to Pg.100 of P.B. He contains that the candidates at Sr.1 to 15 were not illegible on the date of making applications for Inter District Transfer. He submits that he has no record of dates of these applications, and therefore sought direction to the Respondents to bring on record dates of the applications made by candidates at Sr.1 to 15.</p> <p>4. Since, issue of discrimination is raised, learned P.O. is directed to produce chart showing the dates on which the Applicants at Sr.1 to 15 have made an application for Inter District Transfer.</p> <p>5. S.O. to 09.12.2022.</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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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.12.2022</p> <p align="center">O.A. No.269 of 2022</p> <p>M.G. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.B. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. When the matter is taken up for hearing it is noticed that the Applicant has not challenged communication dated 20.04.2021 whereby his request for refund of Rs.3,00,000/- (Rupees Three Lakhs only) has been rejected. 3. Learned Advocate for the Applicant therefore sought permission to amend O.A. so as to challenge communication dated 20.04.2021. 4. Allowed to amend O.A. Amendment be carried out immediately. 5. One week time is granted to learned P.O. to file Affidavit-in-Reply to the original O.A. as well as to the amendment. 6. S.O. to 14.12.2022. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 08.12.2022</p> <p align="center">O.A. No.1063 of 2021</p> <p>B.V. ChauguleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Rajabhau Chaudhari, learned Advocate holding for Shri V.P. Sangvikar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of Shri Rajabhau Chaudhari, learned Advocate adjourned for Final Hearing.</p> <p>3. S.O. to 09.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 08.12.2022</p> <p align="center">O.A.No.1231 of 2022</p> <p>A. R. SonawaneApplicant</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the order dated 05.12.2022 issued by the Respondent No.1 whereby he is relieved and his services are repatriated to Respondent No.2 w.e.f. date of order.</p> <p>3. Learned Counsel for the Applicant sought interim relief <i>inter-alia</i> contending that the Applicant is relieved unilaterally without consultation of Respondent No.2 (Finance Department) and without giving any show cause notice to the Applicant.</p> <p>4. Learned P.O. opposes interim relief stating that repatriation of Applicant to parent department was necessitated in view various complaints against performance and behavior of the Applicant.</p> <p>5. The Applicant's parent department is Finance Department (Respondent No.2). The Finance Department by order dated 17.11.2021 temporarily promoted the Applicant and gave posting to him on the establishment of Respondent No.1 (Food, Civil Supply & Consumer Protection Department). The services of the Applicant was attached to Food and Civil Supply Department in terms of G.R. dated 08.02.2018 which <i>inter-alia</i> provides for availing such services by other department. True, in G.R. dated 08.02.2018, it is stated that in case of repatriation or reposting, the Finance Department be consulted.</p> <p align="right">[P.T.O.]</p>

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	<p>Date : 08.12.2022</p> <p align="center">M. A. No.690 of 2022 in M. A. No.550 of 2019 in O.A.No.989 of 2019</p> <p>D. L. NavghaneApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. P. Hendre holding for Shri V. V. Joshi, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The perusal of record reveals that M.A. along with O.A. has been filed on 07.10.2019 and it were listed before the Tribunal on 09.12.2019 and notices were issued returnable on 13.01.2020. However, thereafter the matter was not placed before the Tribunal and it was simply pending with the office. No explanation is forthcoming from the office as to why the matter was not listed before the Tribunal on returnable date.</p> <p>3. Today, it is listed when learned Counsel for the Applicant has filed another M.A.No.690/2022 for amendment in O.A.</p> <p>4. In view of above, the Registrar is directed to submit the report along with explanation of the concerned as to why matter was not listed before the Tribunal for such a long time.</p> <p>5. Registrar to submit the report by tomorrow.</p> <p>6. S.O. to 12.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 08.12.2022</p> <p style="text-align: center;">M. A. No.228 of 2021 in O.A.No.433 of 2021</p> <p>M. G. Kamble ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Today, for the 1st time, the matter is listed before the Tribunal on board. 2. The Perusal of record reveals that this M.A.228/2021 is filed along with O.A.433/2021 on 01.07.2021 before the Registrar and since then it was pending before the Registrar. 3. Why the matter is pending before the Registrar for more than 1 year is not clear from the file. There are only stamps of the Registrar for adjourning the matter from time to time. What were the objections and whether it is removed or not, does not find place in the endorsement made by the Registrar from time to time. Thus, apparently for more than 1 year, the matter was simply pending before the Registrar and adjourned mechanically from time to time. 4. As per the last endorsement, the Registrar made note to place the matter before the Court for necessary orders and it is how the matter is listed before the Tribunal. Thus, the procedure adopted is totally unheard and matter seems pending for more than 1 year without seeking the order of Tribunal. 5. Today, the Applicant and his Counsel both are absent. Smt. Archana B. K., learned P.O. is present. 6. In view of above, the Registrar is directed to submit detail report as to why the matter is kept pending for more than 1 year. 7. The matter be listed on board with Registrar's report. 8. S.O. to 12.12.2022. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 08.12.2022</p> <p align="center">O.A. No.857 of 2021</p> <p>L.P. Gaikwad & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.S. Jadhav, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant one week time is granted to file Rejoinder.</p> <p>3. S.O. to 15.12.2022.</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 : 08.12.2022</p> <p align="center">O.A.No.780 of 2021</p> <p>A. K. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondent</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere, learned Counsel for Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. In view of the order passed in M.A.707/2022, the Respondents are allowed to file reply. 3. Accordingly, learned P.O. has tendered Affidavit in reply. It is taken on record. 4. Two weeks time is granted to file Rejoinder. 5. S.O. to 21.12.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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
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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 : 08.12.2022</p> <p align="center">M. A. No.707 of 2022 in O.A.No.780 of 2021</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>A. K. Jadhav ...Respondent (Ori. Applicant)</p> <ol style="list-style-type: none"> 1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents) and Shri S. S. Dere, learned Counsel for the Respondent (Ori. Applicant). 2. This M.A. is for seeking permission to file Affidavit in Reply in O.A. since in O.A., the Tribunal has already passed order to proceed without reply. 3. In O.A. enough time was granted to file reply which was not filed, and therefore, Tribunal by order dated 18.10.2022 kept the matter for hearing without reply. 4. Now, learned P.O. sought permission to file reply so as to decide the matter on merit. 5. In the interest of justice, allowed to file reply. 6. M.A.707/2022 is accordingly disposed of with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.12.2022</p> <p style="text-align: center;">O.A.No.1221 of 2022</p> <p>V. L. Dharne ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri holding for Shri R. G. Panchal, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The Applicant has sought direction for transfer since he has completed more than 10 years in the present post at Ratnagiri. He made representation for transfer but not responded. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 22.12.2022. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 22.12.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date : 08.12.2022</p> <p style="text-align: center;">O.A.No.1225 of 2022</p> <p>R. M. KadamApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 04.11.2022 <i>inter-alia</i> contending that the C.P., Pune misread the order passed by the Tribunal in O.A.No.1084/2022 on 02.11.2022 and there was no such necessity of suspension for alleged misconduct. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 21.12.2022. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 21.12.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.12.2022</p> <p style="text-align: center;">O.A.No.1228 of 2022</p> <p>S. L. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged communication dated 07.09.2022 whereby his request for substitution in place of his mother is rejected. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 05.01.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 05.01.2023. <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.12.2022</p> <p align="center">O.A.No.863 of 2022</p> <p>N. N. KulkarniApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant has sent leave note. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. Today, learned P.O. has filed reply on behalf of Respondent Nos.1 to 3. It is taken on record.</p> <p>3. This O.A. be kept with connected O.A.No.326/2022 for hearing.</p> <p>4. S.O. to 05.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.12.2022</p> <p align="center">O.A.No.907 of 2022</p> <p>S. P. MalusareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. Kale, 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 reply on behalf of the Respondent No.2. It is taken on record. No separate reply is filed on behalf of Respondent No.1.</p> <p>3. Two weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 22.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.12.2022</p> <p align="center">O.A.No.746 of 2021</p> <p>S. P. Patil & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicants has filed additional Affidavit of the Applicants along with annexures. It is taken on record.</p> <p>3. On request of learned P.O., one week time is granted to file counter Affidavit, if any.</p> <p>4. S.O. to 14.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 08.12.2022</p> <p>O.A.No.951 of 2021</p> <p>S. Y. Pawar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant in person is present. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted to file counter Affidavit.</p> <p>3. S.O. to 14.12.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date : 08.12.2022</p> <p>M. A . No.709 of 2022 in O.A.No.1151 of 2022</p> <p>P. S. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt Prerna Agvekar holding for Shri A. S. Gaikwad, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed for condonation of delay caused in filing O.A. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 04.01.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 04.01.2023. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.12.2022</p> <p align="center">M. A. No.590 of 2022 in R. A. No.22 of 2022 in O.A.No.496 of 2020</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>A. B. Baviskar & Ors. ...Respondents (Ori. Applicants)</p> <p>1. Heard Smt. Archana B. K., learned Presenting Office for the Applicants (Ori. Respondents). Shri K. R. Jagdale, learner Counsel for the Respondents (Ori. Applicants) has sent leave note.</p> <p>2. Two weeks time is granted to file reply to M.A.</p> <p>3. S.O. to 21.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 08.12.2022</p> <p align="center">O.A.No.1216 of 2022</p> <p>Dr. V .K. PatneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the order dated 30.09.2022 whereby recovery^{OMPUNT} of increments given to him from 01.07.2011 are being recovered. The Applicant was appointed as a Medical Officer but failed to pass language examination in terms of Maharashtra Government Servants (Other than Judicial Department Servants) Marathi Language Examination, Rules 1987 within stipulated period.</p> <p>3. Learned Counsel for the Applicant sought stay to recovery <i>inter-alia</i> contending that Applicant's mother tongue is Marathi and by virtue of nature of his duty, he was not required to correspond in marathi language and requires to be exempted from passing Marathi Language Examination.</p> <p>4. Learned P.O. sought short time to file reply on the point of interim relief.</p> <p>5. Two weeks time is granted to file reply.</p> <p>6. Till next date, there shall be no cohesive^{cohesive} action of recovery</p> <p>7. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. Issue notice before admission returnable on 22.12.2022.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>12. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>13. S.O. to 22.12.2022.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.12.2022</p> <p>O.A.No.1080/2022</p> <p>S.S. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. N. Morey, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate by way of interim relief prays for directions to be given to M.P.S.C. to allow the applicant to appear for the interview for the post of Deputy Director of Town Planning, Maharashtra Town Planning and Valuation Service.</p> <p>3. Learned P.O. submits that interviews for the said post are already over. She seeks time to file reply.</p> <p>4. Adjourned to 22.12.2022.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</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: 08.12.2022</p> <p>O.A.No.883/2022</p> <p>S.R. ZanzurneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. Learned Advocate Mr. K.R. Jagdale has filed leave note.</p> <p>2. Reply is already filed.</p> <p>3. Adjourned to 15.12.2022.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</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">Date: 08.12.2022</p> <p align="center">O.A.No.371/2021</p> <p>P.G. DhavalikarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Reply is filed. 3. Admit, with liberty to file rejoinder, if any. 4. Adjourned to 19.01.2023. <p align="right">Sd/- (Medha Gadgil) Member (A)</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: 08.12.2022</p> <p align="center">M.A.No.704/2022 in O.A.No.114/2022</p> <p>A.N. DhondeApplicant Versus 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. Learned Advocate submits that Applicant was appointed as Agricultural Officer on 21.08.1991. Thereafter, after 18 years he was promoted to the post of Technical Officer on 04.07.2009. Applicant came to be terminated on 12.10.2021 i.e. after 12 years. He filed this O.A. on 01.02.2022. Learned Advocate relies on the judgment dated 01.08.2022 passed by this Tribunal in O.A.No.1009/2021 wherein similarly situated person who has retired was granted pensionary benefits in view of the order passed by this Tribunal.</p> <p>3. Learned P.O. seeks time to file affidavit-in-reply.</p> <p>4. Adjourned to 16.12.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A)</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">Date: 08.12.2022</p> <p align="center">O.A.No.758/2022</p> <p>V.V. MaliApplicant Versus 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. Advocate Mr. R.B. Khot appearing for Respondent No.2 is absent.</p> <p>2. Learned P.O. seeks time to file sur-rejoinder.</p> <p>3. Adjourned to 15.12.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A)</p> <p>prk</p>

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	<p>Date: 08.12.2022</p> <p>O.A.No.1138/2022</p> <p>R.P. ShindeApplicant Versus 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 tenders a letter dated 05.12.2022 written by the Applicant requesting for permission to withdraw the O.A.</p> <p>3. The learned P.O. has no objection for withdrawal of the O.A.</p> <p>4. In view of the above, permission granted to withdraw this O.A. The O.A. stands disposed of as withdrawn.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>prk</p>

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	<p>Date: 08.12.2022</p> <p align="center">M.A.No.689/2022 in O.A.No.755/2022 With M.A.No.457/2022 in O.A.No.755/2022 With M.A.No.571/2022 in O.A.No.755/2022</p> <p>S.S. KakadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that she is filing affidavit-in-reply in M.A.No.457/2022 which is filed for seeking condonation of delay in filing in O.A.No.755/2022. It be taken on record. Copy be served upon the concerned.</p> <p>3. Adjourned to 15.12.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A)</p> <p>prk</p>

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	<p>Date: 08.12.2022</p> <p>R.A.No.16/2022 in O.A.No.859/2021</p> <p>N.G. KabadiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant in person. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks two weeks time to file affidavit-in-reply.</p> <p>3. Adjourned to 22.12.2022.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>prk</p>

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	<p align="center">Date: 08.12.2022</p> <p align="center">M.A.No.441/2022 in O.A.No.729/2022</p> <p align="center">G.N. Jadhav & Ors.Applicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Advocate holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Adjourned to 12.01.2022 for rejoinder, if any.</p> <p align="right">Sd/-  (Medha Gadgil) Member (A)</p> <p>prk</p>

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	<p>Date: 08.12.2022</p> <p>M.A.No.629/2022 in O.A.No.677/2022</p> <p>The State of Maharashtra & Ors.Applits (Org. Respd))</p> <p>Versus</p> <p>N.K. Pashte & Ors..Respondents. (Org. Appli)</p> <p>1. Ms. K.S. Gaikwad, learned Presenting Officer for the Applicant (Org. Respondent). None for the Respondent (Org. Applicant)</p> <p>2. Affidavit in reply is already filed. Officer from the office of M.P.S.C. is present.</p> <p>3. Learned Advocate to remain present on next date. Adjourned to 09.12.2022.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A)</p> <p>prk</p>

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	<p align="center">Date: 08.12.2022</p> <p align="center">C.A.No.25/2022 in O.A.No.503/2020</p> <p>V.S. PandhareApplicant Versus 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. Learned P.O. submits that the suspension period of the applicant has been regularized and the same has been submitted to the Hon'ble the Minister on 10.11.2022. He further submits that the D.E. has been completed and report of the same has been submitted to the Hon'ble the Minister on 29.11.2022.</p> <p>3. Adjourned to 22.12.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A)</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: 08.12.2022</p> <p align="center">C.A.No.16/2022 in O.A.No.223/2020</p> <p>D.N.Kamble & Ors.Applicants Versus 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. Learned P.O. submits that in respect of Applicant No.2, Smt. U.S. Waidande the DCRG amount of Rs.2,55,420/- has been submitted to the Treasury for payment and the same will be paid shortly and with regard to pension papers the same has been sent to the office of Accountant General on 07.12.2022.</p> <p>3. For further compliance adjourned to 15.12.2022.</p> <p align="right">Sd/- (Medha Gadgil) Member (A)</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">Date: 08.12.2022</p> <p align="center">C.A.No.4/2020 in O.A.No.1119/2015</p> <p align="center">Dr. B.M. LadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Akash Reddy i/b. Talekar & Associates, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Writ Petition No.9420/2019 filed by the Respondent before the Hon'ble High Court is pending.</p> <p>3. In view of above, matter is adjourned to 19.01.2023.</p> <p align="right">Sd/- (Medha Gadgil) Member (A)</p> <p>prk</p>