

**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: 08.12.2023</p> <p>O.A. No.881 of 2023 with O.A. No.885 of 2023 with O.A. No.1017 of 2023 with O.A. No.1113 of 2023</p> <p>Dr. S.M.K. Borate Dr. V.K. Ambore Dr. D.R. Katke Dr. S.A. Rokade .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant in O.A.881, 885 &amp; 1017/2023, Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference in O.A. No.1113/2023 and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocates for Applicants states that O.A. No.881/2023, O.A. No.885/2023 &amp; O.A. No.1017/2023 had been listed for further hearing on 20.12.2023 while O.A. No. 1113/2023 was listed for further hearing on 10.01.2024. However, as 'Medical Education &amp; Drugs Department' has issued new 'Transfer Orders' dated 04.12.2023 to reaffirm the earlier 'Transfer Orders' of Applicants in O.A. No.881/2023, O.A. No.885/2023 and modified earlier 'Transfer Order' of Applicant with in O.A. No.1017/2023 as well as reaffirmed the earlier 'Transfer Order' of Applicant. In O.A. No.1113/2023, these are required to be heard urgently as there are subsisting orders of 'Interim Relief'.</p> <p>3. Learned Advocates for Applicant in O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023 stressed that in cases of these 'Professors, Associate Professors and Assistant</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Professors' who are working in 'Sir J.J. Group of Hospitals' and Grant Medical College, Mumbai and 'B.J. Medical College, Pune' the orders of 'Interim Relief' orders are in force, the therefore action of Medical Education and Drugs Department to issue new 'Transfer Orders' on 04.12.2023 makes them liable to be proceeded against under provisions of 'The Contempt of Court Act, 1971'.</p> <p>4. Learned P.O. states that the Medical Education &amp; Drugs Department had filed the 'Affidavit-in-Reply' on 25.09.2023 about their decision to undertake 'Comprehensive and Full Review' of earlier 'Transfer Orders' of 'Professors, Associate Professors and Assistant Professors' who are working in various Government Medical College including 'Sir J.J. Group of Hospitals' and Grant Medical College, Mumbai and 'B.J. Medical College, Pune'.</p> <p>5. Learned P.O. further states that as per information received from concerned officers of 'Medical Education &amp; Drugs Department'; most of the earlier 'Transfer Orders' of 'Professors, Associate Professors and Assistant Professors' have now been cancelled by the 'Medical Education &amp; Drugs Department' but some new 'Transfer Orders' dated 04.12.2023 have been issued including those in respect of Applicants in O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023.</p> <p>6. The 'Medical Education &amp; Drugs Department' has not mentioned any 'Special Reasons or Exceptional Circumstances' due to which it became urgently necessary to issue new 'Transfer Orders' dated 04.12.2023 in respect of Applicants by invoking under of provisions of Section 4 (4)(ii) &amp; Section 4 (4)(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'.</p> <p>7. The earlier 'Transfer Orders' of Applicants in at O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023 were under challenge under provisions of Section 19 and are being heard under provisions Section 22. Further 'Interim Relief' have been granted to the Applicants as per</p>

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	<p>provisions of 'Section 24 of The Administrative Tribunal Act, 2005'.</p> <p>8. The 'Medical Education &amp; Drugs Department' was therefore well aware about orders of 'Interim Relief' granted in O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023 as these were implemented by the Deans of 'Sir J.J. Group of Hospitals' and Grant Medical College, Mumbai and 'B.J. Medical College, Pune'.</p> <p>9. The 'Medical Education &amp; Drugs Department' seems to be quite oblivious of the fact that O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023 are being heard as 'Judicial Proceedings' under provisions of 'Section 30 of The Administrative Tribunal Act, 1985'. Therefore the act of issuing new 'Transfer Order' dated on 04.12.2023; makes them liable to be proceeded against under 'Section 17 of The Administrative Tribunal Act, 1985'.</p> <p>10. The 'Medical Education &amp; Drugs Department' should have desisted from issuing new 'Transfer Orders' on 04.12.2023 and instead should have prayed for expeditious hearing of O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023.</p> <p>11. The 'Medical Education &amp; Drugs Department' cannot plead ignorance of law, as the new 'Transfer Orders' dated 04.12.2023 mention about pendency of O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023.</p> <p>12. The 'Medical Education &amp; Drugs Department' is reported to have cancelled most of the earlier 'Transfers Orders' of 'Professors, Associate Professors and Assistant Professors' who are working in various</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Government Medical College including 'Sir J.J. Group of Hospitals' Grant Medical College and 'B.J. Medical College, Pune'. Therefore by new 'Transfer Orders' dated 04.12.2023 in respect of 'Applicants in O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023 with directions to Deans of 'Sir J.J. Group of Hospitals' and 'B.J. Medical College, Pune' to unilaterally relieve the 'Applicants' amounts to acting with deep malice to intentionally violate the orders of 'Interim Relief' and thus is a fit case to be proceeded with 'Suo-Moto' under Rule 4(1) of 'The Maharashtra Administrative Tribunal (Contempt of Court) Rules, 1996'. Hence, learned P.O. to file 'Affidavit-in-Reply' on behalf of 'Medical Education &amp; Drugs Department' as to why further action as above should not be initiated under Rule 4(1) the 'Maharashtra Administrative Tribunal (Contempt of Court) Rules, 1996.</p> <p>13. The new 'Transfer Orders' dated 04.12.2023 are therefore stayed with directions to Deans of 'Sir J.J. Group of Hospitals' and 'B.J. Medical College, Pune' to take back Applicants in O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A. No.1113/2023 with effect from 05.12.2023 on the posts where they were serving on as per orders of 'Interim Relief'. The 'Interim Relief' orders were passed on 25.07.2023 in O.A. No.881/2023; on 21.07.2023 in O.A. No.885/2023; on 11.08.2023 in O.A. No.1017/2023 &amp; on 28.08.2023 in O.A. No.1113/2023.</p> <p>14. Learned P.O. is further informed to file separate 'Affidavit-in-Reply' on behalf of 'Medical Education &amp; Drugs Department' about outcomes of the 'Comprehensive and Full Review'. Also learned P.O. to clarify whether the decision to cancel most of the earlier 'Transfer Orders' of 'Professors, Associate Professors and Assistant Professors' who are working in various Government Medical College including 'Sir J.J. Group of Hospitals' Grant Medical College and 'B.J. Medical College, Pune' has been taken by the 'Medical Education &amp; Drugs Department' or the issue was decided at the level of 'State Cabinet'. Learned P.O. is accordingly directed to also produce copies of 'File Noting' of 'Medical Education &amp; Drugs Department' or 'Cabinet Resolution' passed by 'State Cabinet' as the case may; be so that keeping aside O.A. No.881/2023, O.A. No.885/2023, O.A. No.1017/2023 &amp; O.A.</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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	<p>No.1113/2023 appropriate final orders can be passed under 'Section 22 of The Administrative Tribunals Act, 1985.</p> <p>15. S.O. to 20.12.2023.</p> <p>16. Hamdast Granted.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders <b>08.12.2023</b></p>
	<p style="text-align: center;"><b><u>O.A 408/2022</u></b></p> <p>A.A Nazirkar &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The present O.A is de-tagged from C.A 35/2021 in O.A 229/2021.</p> <p>3. To be placed on Board on 5.1.2024.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>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
	<p><b>Date : 08.12.2023</b></p> <p><b>M. A. No.761 of 2023 in O.A.No.1522 of 2023</b></p> <p><b>H. S. Narale &amp; Ors. ....Applicants</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.</p> <p>5. M. A. No.761 /2023 is allowed. No order as to costs.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Final 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 : 08.12.2023 O.A.No.992 of 2023</p> <p>S. D. Javir &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere along with Shri H. S. Bali, learned Counsels for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicants prays for amendment in the Prayer Clause. He submits that the case of the Applicants is covered under order dated 02.11.2023 passed in <b>O.A.720/2023 (Raju R. Patle V/s State of Maharashtra &amp; 2 Ors.)</b> by Division Bench of M.A.T. at Aurangabad Bench.</p> <p>3. Learned Counsel for the Applicants seeks time to amend the Prayer Clause. It be amended forthwith.</p> <p>4. S.O. to 15.12.2023.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>



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

Tribunal's order

Date : 08.12.2023

O.A.No.988 of 2023

R. D.Kanade

....Applicant

Versus

The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned C.P.O. on instructions submits that the 2<sup>nd</sup> D.E. is Joint Enquiry (Applicant+ 3 Delinquents) while the 3<sup>rd</sup> D.E. is in fact not Joint Enquiry (Applicant + 1 Delinquent) but is an independent D.E. In that D.E., In that D.E., co-delinquent has been exonerated by Planning Department.
3. In view of prayers in O.A. and long pendency of Departmental Enquiries against the Applicant, we find it necessary to add concerned Enquiry Officer as party respondent in O.A. for expeditious completion of 2<sup>nd</sup> D.E. and 3<sup>rd</sup> D.E. against the Applicant. Learned Counsel is hereby directed to add "Regional Enquiry Officer, Konkan Division, Konkan Bhavan, Navi Mumbai" as party respondent forthwith and serve copy of O.A. to added Respondent No.3.
4. Notice to added Respondent No.3 is not required at all. We direct added Respondent No.3 to conclude these Two D.E.s against the Applicant on or before 15.01.2024 without fail and submit Enquiry Report on or before 20.01.2024. The Applicant shall cooperate in proceeding of both D.E.s before "Regional Enquiry Officer, Konkan Division, Konkan Bhavan, Navi Mumbai."
5. Learned C.P.O. states that it will be difficult for Respondent No.3 to complete the Two D.E.s against the Applicant in such short time due to limited employees in his understaffed office which is conducting large numbers of D.E.s. Therefore, we direct the Additional Chief Secretary, G.A.D. to temporarily provide 'Additional Staff' as is required by Regional Enquiry Officer, Konkan Division, Konkan Bhavan, Navi Mumbai so as to enable him to complete of Two D.E.s against the Applicant expeditiously and in case by 15.01.2024.
6. S.O.to 16.01.2024.

Sd/-

(Debashish Chakrabarty)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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	<p><b>Date : 08.12.2023</b></p> <p align="center"><b>O.A.No.1522 of 2023</b></p> <p><b>H. S. Narale &amp; Ors. ....Applicants</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. Learned Counsel for the Applicants submit that earlier Original Application No.985 of 2023 was allowed by this Tribunal in respect of Police Personnel to Special Protection Unit (SPU) on 03.11.2023. The present Applicants have filed the Misc. Application No.535/2023 for amendment on 10.08.2023. The said O.A.985/2023 was allowed on 03.11.2023, however M.A. for amendment is remained to be decided.</li> <li>3. Learned Counsel for the Applicants further submits that the said M.A. No.535/2023 was for adding the names of present Applicants in O.A.985/2023. The O.A. No.985/2023 was disposed of on 03.11.2023, however, as these 5 present Applicants have moved M.A. No.535/2023 for adding them as Applicants in O.A. No.985/2023 who are similarly placed and more meritorious than the Applicants in O.A.No.985/2023 are not benefited of that order. Hence, the present Applicants have moved this separate O.A.No.1522/2023.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 14.12.2023.</li> <li>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.</li> </ol>

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directions and Registrar's orders

tribunal's orders

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

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

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

9. S.O. to 14.12.2023.

Sd/-

(Debashish Chakrabarty)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.12.2023</p> <p align="center">O.A. No.391 of 2023</p> <p>N.D. Patil, .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri N.W. Sawant, learned Advocate holding for Shri S.B. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. today files 'Additional Affidavit-in-Reply' dated 23.11.2023 on behalf of Respondent No.3. It is taken on record.</p> <p>3. The 'Joint Director of Vocational Education and Training, Pune' has issued 'Office Order' dated 30.11.2023 by which the Applicant has now been posted to the 'Vacant Post' of 'Office Superintendent, BTRI, Sangli'. The Applicant had sought transfer to the 'Vacant Post' of 'Office Superintendent BTRI, Sangli' by filing O.A. No.391 of 2023. However, as the Applicant has now been posted as 'Office Superintendent, BTRI, Sangli' nothing survives in this O.A. No.391/2023. Hence, O.A. No.391/2023 is disposed off with 'No Order as to Costs'.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>08.12.2023</u></b></p> <p style="text-align: center;"><b><u>O.A 847/2023</u></b></p> <p>M.A Jare ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks time to file rejoinder.</p> <p>3. S.O to 22.12.2023.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A) Akn</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.12.2023</u></b></p> <p style="text-align: center;"><b><u>O.A 812/2023</u></b></p> <p>S.B Pawar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant, Smt K.S Gaikwad, learned P.O for the Respondent No. 1 and Shri M.D Lonkar, learned counsel for Respondent No. 2.</p> <p>2. Admit with liberty to file rejoinder, if any.</p> <p>3. Place for final hearing on 6.2.2024.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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 : 08.12.2023 O.A.No.82 of 2023</p> <p>B. M. Makwana &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri Amar Bodke holding for Shri M. V. Thoart, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 02.01.2024. Interim Relief to continue till next date.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

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

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

**FARAD CONTINUATION SHEET NO.**

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	<p align="center"><u>O.A. No.1271 of 2023</u></p> <p>R.M. Alhat ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Applicant and Advocate both are absent.</p> <p>2. Ld. PO files reply dated 1.12.2023 of respondents no.2 &amp; 3.</p> <p>3. Admit.</p> <p>4. S.O. to 8.2.2024 for final hearing with liberty to file rejoinder.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 8.12.2023</p> <p>(sgj)</p>



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	<p style="text-align: center;"><u>O.A. No.404 of 2023</u></p> <p>L.T. Rathod . . . . . Applicant  Vs.  The State of Maharashtra &amp; Ors. . . . . Respondents</p> <p>Heard Shri P.L. Rathod, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Enough chances were given to the respondents to file the reply. However, respondents have not filed the reply. Hence, the matter to proceed without reply.</p> <p>3. Admit.</p> <p>4. S.O. to 12.1.2024 for final hearing.</p> <p style="text-align: right;">Sd/-  (Medha Gadgil)  Member (A)  8.12.2023</p> <p>(sgj)</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.739 of 2023</u></p> <p>P.M. Dabhade ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned 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 23.1.2024. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 8.12.2023</p> <p>(sgj)</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 style="text-align: center;"><u>M.A. No.421 of 2023 in O.A. No.739 of 2023</u></p> <p>P.M. Dabhade <span style="float: right;">..Applicant</span>  Vs.  The State of Maharashtra &amp; Ors. <span style="float: right;">..Respondents</span></p> <p>Heard Shri R.M. Folge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This MA is filed for condoning the delay in filing the OA. Ld. Advocate for the applicant submits that applicant was suffering from heart disease. He submits that applicant is not getting provisional pension and he has not received the pensionary benefits. Ld. Advocate relies on the judgment of the Hon'ble Supreme Court in (2008) 8 SCC 648 <i>Union of India &amp; Ors. Vs. Tarsem Singh</i>.</p> <p>3. Ld. PO submits that no plausible reason has been given for condoning the delay. She states that applicant has not annexed any evidence of his suffering from heart disease. Delay cannot be condoned on mere submissions. It is an admitted fact that applicant has superannuated in 2011. Thereafter he has not approached before the authority or the Tribunal for seeking the same relief which shows that applicant is not vigilant.</p> <p>4. Considering the facts and circumstances of the case and relying on the ratio in <i>Tarsem Singh</i> (supra), the delay is condoned. MA is allowed.</p> <p style="text-align: right; margin-right: 100px;">Sd/-  (Medha Gadgil)  Member (A)  8.12.2023</p> <p>(sgj)</p>

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

**Tribunal's orders**

O.A. No.200 of 2023

D.S. Chikkhale

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 19.1.2024. The respondents are directed to file reply.

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. Respondents are put to notice that the case may 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. 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.

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

Sd/-

(Medha Gadgil)

Member (A)

8.12.2023

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.145 of 2023 in O.A. No.200 of 2023</u></p> <p>D.S. Chikkhale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. MA is filed for condoning the delay of 3 years and 6 months. Ld. Advocate for the applicant submits that cause of action arose on 31.7.2018. He was unable to file this OA in time because he has made number of representations.</p> <p>3. Ld. PO opposes the submissions of Ld. Advocate for the applicant and submits that there is no merit in the OA because he retired in 2018 and judgment of the Hon'ble Supreme Court in <i>Ajay Kumar Choudhari Vs. Union of India (2015) 7 SCC 291</i> came in 2014 and that ratio is not applicable.</p> <p>4. However, for the reasons mentioned in the MA the delay is condoned. MA is allowed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 8.12.2023</p> <p>(sgj)</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.1461 of 2023</u></p> <p>V.V. Sawant ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri N.W. Sawant, learned Advocate for the Applicant and Shri A.J. Chougule, learned 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 19.1.2024. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Medha/Gadgil) Member (A) 8.12.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.12.2023</b></p> <p align="center"><b>O.A.No.1529 of 2023</b></p> <p><b>Dr. S. M. Shete</b> .....<b>Applicant</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri S. B. Gaikwad, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that Respondent No.2-M.P.S.C. has issued an Advertisement Bearing No.016/2022 on 18.02.2022 for the post of Assistant Commissioner of Animal Husbandry, Group 'A'. The Applicant applied for the same. In screening test, he secured 111.50 marks out of 200 marks and 19 marks in interview. He has shown at Sr. No.6 in the screening test merit list. He appeared for interview on 18.10.2023. On 24.11.2023 the Respondent No.2 published Provisional General Merit List in which applicant's name mentioned in the list of 'Not eligible candidate- Interview Marks Less than 41%'. Subsequently, the Applicant made representation on 30.11.2023. However, that representation is not responded and therefore, he has approached this Tribunal with prayer that Provisional General Merit list of 24.11.2023 issued by Respondent No.2 be quashed and set aside. By way of interim relief, he prays that merit list be stayed.</p> <p>3. The office objection, 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 19.12.2023.</p>

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

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

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

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

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

9. S.O. to 19.12.2023.

Sd/-  
(Debashish Chakrabarty)  
Member (A)

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson

vsm



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.12.2023</u></b></p> <p><b><u>O.A 709/2023</u></b></p> <p>Smt Vidya D. Hunchikatti ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, working as Clerk and who is 100% blind prays that the Respondents be directed to complete the probation period of the applicant w.e.f 13.7.2016 and also further direct the Respondents to promote the applicant to the post of Head Clerk w.e.f 30.5.2023. Learned counsel has submitted that as the applicant is 100% blind, that is the main obstacle. Learned counsel has further submitted that she attends the office regularly and she will cooperate with the administration in the office work. Learned counsel has submitted that she has been wrongly denied the deemed date when she was given promotion.</p> <p>3. During the pendency of the application, her probation was also completed and she was promoted to the post of Head Clerk on 29.8.2023. Learned counsel submits that thus in this Original Application the prayer of grant of deemed date that she should be promoted to the post of Head Clerk from 30.5.2023 remains.</p> <p>4. Learned C.P.O, while opposing this Original Application relies on the affidavit in reply dated 28.7.2023 filed by Respondents No 1 to 3 through Naganath R. Chougule, Assistant Commissioner, Social Welfare, Solapur. She submitted on instructions that the applicant had expected that applicant should take interest and initiative in the work of the school so that the applicant can provide assistance to other Teachers and the Staff.</p> <p>5. We have perused the averments made in the Original Application and also the reply filed by the Respondents. In view of the set of facts it appears that there only a gap of 3 months between her actual order of promotion and the deemed date which is claimed by the applicant.</p> <p>6. In view of the above we pass the following order:-</p> <p>(a) The Original Application is allowed.</p> <p>(b) The prayer of granting deemed of promotion to the applicant to the post of Head Clerk from 30.5.2023 is allowed.</p> <p>(c) The Respondents are directed to give to the applicant, deemed date of promotion as 30.5.2023 to the post of Head Clerk</p> <p>Sd/- <b>(Medha Gadgil)</b> <b>Member (A)</b></p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></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
	<p>Date: 08.12.2023</p> <p align="center">O.A. No.959 of 2023</p> <p>M.U. Waghmare .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Smt K.S. Gaikwad and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that he has received 'Parawise Comments' and seeks 'One Week' time to file 'Affidavit-in-Reply'. Time as prayed is granted to learned P.O.</p> <p>3. S.O. to 15.12.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 08.12.2023</p> <p align="center">O.A. No.1096 of 2023 with O.A. No.1097 of 2023</p> <p>S.S. Khot .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.S. Raktade, learned Advocate for the Applicant, Smt K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri R. Shinde, learned Advocate for the Respondent No.4.</li> <li>2. Learned P.O. has filed 'Short Affidavit-in-Reply' in O.A. No.1096/2023 and O.A. No.1097/2023 on behalf of Respondent No.2, they are taken on record.</li> <li>3. Learned Advocate for the Respondent No.4 states that he does not want to file 'Affidavit-in-Reply' and Learned Advocate for the Applicant also states that he does not want to file 'Affidavit-in-Rejoinder'.</li> <li>4. Learned Advocate for the Applicant seeks 'Two Weeks' time for hearing. Time as prayed is granted to learned Advocate for the Applicant</li> <li>5. S.O. to 22.12.2023.</li> </ol> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.589 of 2017</u></p> <p>V.Y. Khandebharad ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Advocate and Applicant both the absent.</p> <p>2. Ld. PO seeks time to file additional affidavit.</p> <p>3. S.O. to 9.1.2024.</p> <p style="text-align: center;"><i>Sd/-</i> (Medha Gadgil) Member (A) 8.12.2023 (sgl)</p> <p style="text-align: center;"><i>Sd/-</i> (Mridula Bhatkar, J.) Chairperson 8.12.2023</p>

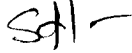

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.80 of 2022 in C.A. No.879 of 2015</u></p> <p>G.P. Wadekar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Applicant and Advocate both are absent.</p> <p>2. Id. PO submits that another positive proposal is submitted before the Chief Secretary and the Chief Secretary has forwarded the same to the Hon'ble Minister, Public Health Department on 4.12.2023.</p> <p>3. S.O. to 4.1.2024.</p> <p align="center">             (Medha Gadgil)            Member (A)            8.12.2023            (sgj)         </p> <p align="center">             (Mridula Bhatkar, J.)            Chairperson            8.12.2023         </p>

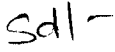
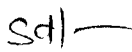
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.80 of 2023 in O.A. No.729 of 2019</u></p> <p>Dr. S.V. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. MPSC is suo motu made party respondent no.4 in this CA. We direct Secretary, MPSC to take note that it is a matter under Contempt and accordingly do the needful on or before 18.12.2023. This is the last chance given to MPSC.</p> <p>3. S.O. to 18.12.2023. Hamdast.</p> <p align="center">             (Medha Gadgil)            Member (A)            8.12.2023            (sgj)         </p> <p align="center">             (Mridula Bhatkar, J.)            Chairperson            8.12.2023         </p>

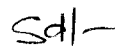
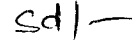
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.127 of 2023</u></p> <p>R.V. Kokare ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that affidavit in reply is prepared and sent for affirmation and next week she will file the same.</p> <p>3. S.O&gt; to 14.12.2023.</p> <p align="center">             (Medha Gadgil)            Member (A)            8.12.2023            (sgj)         </p> <p align="center">             (Mridula Bhatkar, J.)            Chairperson            8.12.2023         </p>

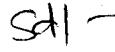
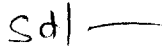
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.269 of 2023</u></p> <p>P.K. Bavkar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Rachana Harpale holding Shri Nitin P. Deshpande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 22.12.2023.</p> <p align="center">             (Medha Gadgil)            Member (A)            8.12.2023         </p> <p align="center">             (Mridula Bhatkar, J.)            Chairperson            8.12.2023         </p> <p>(sgi)</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>O.As. No.501, 502 &amp; 503 of 2023</u></p> <p>P.S. Pitale &amp; Ors. S.L. Shinde &amp; Ors. S.R. Warunde &amp; Ors. <span style="float:right">..Applicants</span></p> <p align="center">Vs.</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">..Respondents</span></p> <p>Heard Shri N.W. Sawant holding for Shri U.V. Bhosle, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 16.1.2024 for final hearing with liberty to file rejoinder.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>sd/</i></p> <p>(Medha Gadgil) Member (A) 8.12.2023</p> <p>(sgl)</p> </div> <div style="text-align: center;"> <p><i>sd/</i></p> <p>(Mridula Bhatkar, J.) Chairperson 8.12.2023</p> </div> </div>

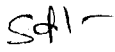
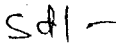
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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>O.A. No.633 of 2023</u></p> <p>D.M. Tadge ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Applicant and Advocate both are absent.</p> <p>2. Admit.</p> <p>3. S.O. to 16.1.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">             (Medha Gadgil)            Member (A)            8.12.2023            (sgj)         </p> <p align="center">             (Mridula Bhatkar, J.)            Chairperson            8.12.2023         </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 08.12.2023</b></p> <p align="center"><b>O.A.No.1504 of 2023</b></p> <p><b>A. J. Bodake</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri B. R. Mandlik, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The learned Counsel for the Applicant submits that the Respondent No.1— M.P.S.C. has issued Advertisement Bearing No.116 and 117 of 2023 on 26.10.2023 for the post of Principal/Director (Government Colleges/Institutions for Arts, Commerce and Science). The last date for submitting application was 20.11.2023. The Applicant belongs to 'OBC' category.</li> <li>3. Learned Counsel for the Applicant further submits that as per the said advertisement, the Applicant is required to submit Non-Creamy Layer Certificate as she wants to apply in Reserved Category.</li> <li>4. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>5. Issue notice before admission returnable on 12.12.2023.</li> <li>6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> </ol>

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

Tribunal's orders

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

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

10. S.O. to 12.12.2023.

Sd/-  
(Debashish Chakrabarty)  
Member (A)

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
MIS APPLICATION NOS 751/2023 IN O.A 1516/2023 & ORS  
DISTRICT : MUMBAI/NAGPUR**

**MUMBAI PRINCIPAL BENCH (13 MATTERS)**

Sr No.	Matter Numbers	Name of the Applicants
1.	M.A 751/2023 in O.A 1516/2023	Mahendra Khamkar
2.	M.A 741/2023 in O.A 1506/2023	Rajendra Sawant
3.	M.A 740/2023 in O.A 1505/2023	Suresh More
4.	M.A 746/2023 in O.A 1511/2023	Umakant Desale
5.	M.A 745/2023 in O.A 1510/2023	Prashant Gaikwad
6.	M.A 744/2023 in O.A 1509/2023	Rajesh Shinde
7.	M.A 743/2023 in O.A 1508/2023	Sachin Pagare
8.	M.A 742/2023 in O.A 1507/2023	Rajendra Kulkarni
9.	M.A 748/2023 in O.A 1513/2023	Dhananjay Vyawahare
10.	M.A 747/2023 in O.A 1512/2023	Vijaykumar Chaugule
11.	M.A 749/2023 in O.A 1514/2023	Vishal Ahirrao
12.	M.A 750/2023 in O.A 1515/2023	Santosh Rasane
13.	M.A 752/2023 in O.A 1517/2023	Sanjay Dahiphale
Vs The State of Maharashtra & Ors		... Respondents
<b>NAGPUR BENCH (4 MATTERS)</b>		
1.	M.A 755/2023 in O.A S.T No. 2940/2023	Tolaba Bawne
2.	M.A 756/2023 in O.A S.T No. 2939/2023	Nagnath Sagar
3.	M.A 757/2023 in O.A S.T No. 2938/2023	Prahlad Khandwaye
4.	M.A 758/2023 in O.A S.T No. 2941/2023	Anand Rode
Vs The State of Maharashtra & Ors		... Respondents

Shri M.S Deshmukh with U.L Mormale, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM : Justice Mridula Bhatkar (Chairperson)**

**DATE : 08.12.2023**

**ORDER**

1. Learned counsel for the applicants submit that there are in all 17 Misc Applications filed, 13 matters at M.A.T, Mumbai Bench and 4 matters at M.A.T, Nagpur Bench filed these applications under Section 25 of the Administrative Tribunals Act, for transferring the respective Original Applications M.A.T, Mumbai and M.A.T, Nagpur to M.A.T, Aurangabad Bench.
2. The applicants have filed the Original Applications while challenging their seniority, also questions the show cause notice issued for reversion. Learned counsel has submitted that some applicants have filed Original Applications in Mumbai and some have filed at Nagpur Bench.
3. Learned counsel points out that earlier such application for transfer in respect of similarly situated applicant was filed in M.A 465/2023 in O.A 794/2023 and this Tribunal by order dated 3.8.2023 has allowed the transfer of the Original Application to M.A.T, Aurangabad Bench. On similar grounds, he prayed that the Original Applications be transferred under to M.A.T, Aurangabad Bench.
4. Learned C.P.O submits that she has been instructed to oppose the transfer of all these Original Applications from M.A.T, Mumbai and Nagpur to Aurangabad Bench. She submits that the Respondent-State in view of its convenience mainly on the point of availability of the file and the records in Mantralaya, opposes the said transfer. She stated that there are two contradictory interim orders passed by Division Bench, at M.A.T, Aurangabad in respect of seniority in Public Works Department and therefore the matters need to be heard in depth and will require the necessary record.

5. Considered the submissions of both sides. The applicants have moved these applications as it is convenient to them to club all the applications on the same issue before the M.A.T, Aurangabad Bench. Learned counsel on query has pointed out that 5 Original Applications on this issue are already pending before M.A.T, Aurangabad Bench. As there are two verdicts given at M.A.T, Aurangabad Bench, it is better to transfer the above Original Applications pending before M.A.T, Mumbai Bench and Nagpur Bench to M.A.T, Aurangabad Bench, to adjudicate these issues finally.

6. The Registrar, M.A.T, Mumbai Bench and Nagpur Bench are directed to send the record and proceedings in the above Original Applications to M.A.T, Aurangabad Bench for final disposal.

7. Accordingly, all the Misc Applications stand disposed of.

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

**Place : Mumbai**  
**Date : 08.12.2023**  
**Dictation taken by : A.K. Nair.**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>08.12.2023</u></b></p> <p><b><u>MA 766/2023 in M.A 370/2023 in O.A 356/2023</u></b></p> <p>Shri Sharad P. Jare ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri V.B Wagh, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. This Misc Application is filed to pass order under Section 25 of the Administrative Tribunals Act, 1985 to transfer the Original Application No. 356/2023 and M.A 370/2023 to the Principal Bench at Mumbai, as Shri Vinay Kargaonkar, Hon'ble Member (A), M.A.T, Aurangabad has recused from the matter.</p> <p>3. Learned P.O submits to the orders of the Court.</p> <p>4. Misc Application is allowed. Registrar, M.A.T, Aurangabad is directed to send the record and proceedings in Original Application No. 356/2023 and M.A 370/2023 to the Principal Bench at Mumbai.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>