

**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>09.01.2023</u></p> <p align="center"><u>O.A 814/2022</u></p> <p>Shri G.S Chavan & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Sabiha Ansari, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondent-State, Shri M.D Lonkar, learned counsel for Respondents no 9, 10, 11 and 13 and Shri S.S Dere, learned counsel for Respondent no. 12</p> <p>2. Learned counsel for the applicants submits that G.R dated 20.12.2020 is challenged. However, the G.R dated 31.5.2021 inadvertently remained to be mentioned, though the contentions to that effect are raised in the Original Application. She seeks that it is to be allowed to be added as prayer 1A.</p> <p>3. We are of the view that as the averments to that effect are found in the Original Application and so also the earlier G.R of December, 2020, which is on the same line of giving retrospective effect of the policy decision in respect of S.E.B.C is challenged, we allow this amendment.</p> <p>4. Learned counsel for the applicant is directed to amend the Original Application and carry out the amendment in the copies of the Respondents.</p> <p>5. S.O to 10.1.2023.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member (A)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

**ORIGINAL APPLICATION NO.1285 OF 2022 WITH
ORIGINAL APPLICATION NO.1292 OF 2022 WITH
ORIGINAL APPLICATION NO.1293 OF 2022 WITH
ORIGINAL APPLICATION NO.1296 OF 2022 WITH
ORIGINAL APPLICATION NO.1297 OF 2022 WITH
ORIGINAL APPLICATION NO.1305 OF 2022**

P.S. Khaire & Ors.,
R.M. Ghodke & Ors.,
G.B. Patil
D.A. Taware
D.N. Jadhav & Anrs.,
A.A. Kale

).. **Applicant**

Versus

State of Maharashtra & Ors.

) ..**Respondents**

Shri A.V. Bandiwadekar, learned Advocate for the Applicant in O.A. Nos.1285/22, 1292/22, 1293/22 & 1305/22.

Shri S.S. Dere, learned Advocate for the Applicant in O.A. Nos.1296/22 & 1297/22

Smt. K.S. Gaikwad along with Smt. Archana B.K., learned Presenting Officer for the Respondents.

CORAM : SHRI A.P. KURHEKAR, HOB'BLE MEMBER(J)

DATE : 09.01.2033.

ORDER

1) Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant in O.A. Nos.1285/22, 1292/22, 1293/22 & 1305/22, Shri S.S. Dere, learned Advocate for the Applicant in O.A. Nos.1296/22 & 1297/22 & Smt. K.S. Gaikwad along with Smt. Archana B.K., learned Presenting Officer for the Respondents.

2) In O.A. No.1285/2022 Applicants are seeking transfer from the establishment of the Commissioner of Police, Mumbai to the

establishment of the Superintendent of Police, Jalgaon. The perusal of communication dated 15.07.2022 (Pg. 40 of P.B.) reveals that the Superintendent of Police, Jalgaon has issued NOC to the Applicants with rider with first come first serve would be accommodated. It is therefore necessary to know what is the present position at the Superintendent of Police, Jalgaon. At this juncture, learned P.O. has tendered Affidavit-in-Reply on behalf of the Superintendent of Police, Jalgaon in which it is clearly stated in Para 6 that he is ready to accommodate the Applicant as and when relieved by the Commissioner of Police, Mumbai. It is further stated that 65 posts are vacant as on today. Thus there is no hurdle from the side of the Superintendent of Police.

3) In O.A. No.1292/2022 Applicants are seeking Inter District Transfer from the establishment of the Commissioner of Police, Mumbai to the Superintendent of Police, Beed. The perusal of record reveals that the Superintendent of Police, Beed has issued NOC and ready to accommodate the Applicant (Pg 32 of P.B.). Learned P.O. is directed to taken instructions from the Superintendent of Police, Beed about the present position of vacancy.

4) In O.A. No.1293/2022 the Applicant is seeking Inter District Officer from the establishment of Mumbai to the Superintendent of Police, Osmanabad who had issued NOC on 06.06.2022 to accommodate the Applicant. It is necessary to know the present status of vacancy. Learned P.O. is directed to take instruction and appraise the Tribunal.

5) In O.A. No.1296/2022 the Applicant is seeking transfer from the establishment of the Commissioner of Police, Mumbai to the Commissioner of Police, Pimpri Chinchwad who has given NOC on 29.06.2022 to accommodate the Applicant on his establishment. Learned P.O. is directed to take instruction about the present status on the establishment of the Commissioner of Police, Pimpri Chinchwad.

- 6) In O.A. No.1297/2022 the Applicants are seeking transfer from the Commissioner of Police, Mumbai to the establishment of the Superintendent of Police, Pune (Rural) who has given NOC stating that the Applicants can be accommodated upto 30.09.2022. Learned P.O. is directed to take instruction about the present position of the vacancy.
- 7) In O.A. No.1305/2022 the Applicants are seeking Inter District Transfer from the Commissioner of Police, Mumbai to the Commissioner of Police, Pune who has issued NOC to accommodate the Applicant on or before 15.07.2022. It is necessary to know present status of vacancy. Learned P.O. is directed to take instruction and appraise the Tribunal.
- 8) In afternoon session, learned P.O. on instruction from the Superintendent of Police - Beed, the Superintendent of Police - Osmanabad, the Commissioner of Police - Pimpri Chinchwad, Superintendent of Police - Pune (Rural) & the Commissioner of Police - Pune submits that today also there are vacancy in respect of which NOC was issued by this authorities.
- 9) However, there is no Reply from the side of the Commissioner of Police, Mumbai. In all these O.As. the Applicants are seeking transfer from his establishment. In one group of O.As composite Reply was filed but that composite Reply was not pertaining to present O.A. since this O.As. are filed subsequently. It is therefore necessary to give short time to Respondent No.1 - the Commissioner of Police, Mumbai to file Affidavit-in-Reply.
- 10) On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply on behalf of Respondent No.1 - the Commissioner of Police, Mumbai. She is also at liberty to file Affidavit-in-Reply on behalf of other Respondents, if necessary.

11) S.O. to 23.01.2023.

^
Sd/-

v~
(A.P. KURHEKAR)
MEMBER (J)

Place: Mumbai
Date: 09.01.2023
Dictation taken by: N.M. Naik.

G:\NAIK\2023\02-Order 23\01-Jan 2023\09.01.2023\O.A. 26 of 2022 along with connected O.As. 09.01.2023.doc

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 09.01.2023</p> <p align="center">M.A. No.563 of 2022 in O.A. No.889 of 2022</p> <p>P.N. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for hearing of M.A. without Reply since Respondents did not filed Affidavit-in-Reply within the time granted by the Tribunal. Learned P.O. however sought time to file Affidavit-in-Reply to M.A. stating that there is huge delay of twenty years and Reply is necessary. It is opposed by the learned Advocate for the Applicant. In the interest of justice Affidavit-in-Reply to M.A. is taken on record.</p> <p>3. In O.A., family pension and other retiral benefits are sought. The perusal of record reveals that the Applicant's husband has tendered voluntary retirement notice but it was not accepted on the ground of non compliance of qualified service. He ^{attended} attended age of superannuation on 31.01.2001 and ^{expired} expired on 23.02.2022. After his death his widow claimed retiral benefits of her husband. Deceased Government servant also seems to have made some Representation during his lifetime to Respondents. Thus, it appears that case of non-reporting to duty after submission of notice of voluntary retirement and decision about leave period was not taken but in mean time the Applicant's husband ^{attended} attended 58 years of age.</p> <p>4. Indeed, the perusal of letter issued by Government dated 11.12.2018 reveals that Government had issued direction to the Commissioner of Police, Pune for enquiry about loss of service book and PTO was further directed to take further steps for grant of provisional Pension and Gratuity. However, nothing happened thereafter.</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

5. In view of above, learned Advocate for the Applicant submits that even GPF, GIS was also not paid. She submits that there is continuous cause of action since the Applicants are deprived of their legitimate dues.

6. In view of above, it is necessary to decide M.A. along with O.A. to find out what actually happened in the matter and whether there is continuous cause of action.

7. Short time is granted to learned P.O. to file Affidavit-in-Reply in O.A. so that both O.A. and M.A. could be heard and decide on merit.

8. S.O. to 23.01.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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: 09.01.2023</p> <p style="text-align: center;">O.A. No.635 of 2022</p> <p>M.B. MahajanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 08.01.2022 whereby his post of Circle Agriculture Officer was withdrawn and given to Shri V.K. Pawar in view of registration of crime. Indeed, there is no denying that on 08.01.2022 the Applicant was arrested for the Offence u/s 406,409,420,464,465,471,120B and 34 of IPC and was detained in police custody for more than 48 hours. This being the position, instead of passing order dated 08.01.2022 of simple withdrawal of work, the competent authority ought to have passed order of suspension under Rule 4(2) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 in view of detention of the Applicant for more than 48 hours. However, Respondent No.1 – District Superintending Agriculture Officer passed an order of withdrawal of work.</p> <p>3. Be that as it may, later Government passed order on 12.07.2022 for Deemed Suspension of the Applicant in view of his detention in custody for more than 48 hours. In suspension order it is clarified that suspension is deemed to have been in-force from date of arrest i.e. 08.01.2022. The impugned order withdrawal of work was also passed by District Superintending Agriculture Officer on 08.01.2022. Needless to mention once there is detention of Government servant in custody for more than 48 hours, such Government servant Deemed to have been suspended by implementation of law. This being the position, in law the Applicant is deemed to have suspended w.e.f. 08.01.2022.</p>

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4. Notably, after filing of this O.A. the Applicant had filed another O.A. No.712/2022 which was decided on 26.09.2022 by the Tribunal. O.A. was partly allowed and the Applicant suspension has been revoked with immediate effect with direction to reinstatement on the same post. Thus, though there was challenged to the legality of the suspension, tribunal did not interdict the suspension order but only revoked the suspension. In other words suspension order is declared illegal.

5. Thus, once suspension of the Applicant is revoked and he is reinstated in service, issue whether the Applicant is entitled to treat the suspension period from 08.01.2022 till reinstatement in service will have to be decided by the competent authority at the appropriate stage. Therefore, the submission advanced by learned Advocate for the Applicant that the Applicant's work was withdrawn illegally and he is entitled to pay and allowance from 08.01.2022 is totally mis-conceived and claim is premature.

6. Legally speaking impugned order dated 08.01.2022 is merged in the suspension order later passed by Government on 12.07.2022 and nothing survives for adjudication.

7. For the aforesaid reason, O.A. is dismissed with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p style="text-align: center;">O.A.No.27 of 2023</p> <p>Dr. S D. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 28.12.2022 whereby the Government suspended him in contemplation of D.E. invoking Rule 4(1) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.</p> <p>3. Learned Counsel for the Applicant sought to assail the suspension order inter-alia contending that it is not a case of suspension and Applicant is made scapegoat. According to Applicant, he is suspended only because of statement made in legislative assembly. learned Counsel further pointed out that at the time of suspension, the Applicant was District Health Officer, ZP, Solapur but the Head Quarter is kept at Gadchiroli which is more than 800 k.m. from Solapur and it is in contravention of Circular dated 19.03.2008. She, therefore, sought stay to change of Head Quarter.</p> <p>4. Indeed, by Circular dated 19.03.2008 (page 388 of PB) the Government had clarified that in case of suspension, the Head Quarter of Government servant should normally be assumed to be his last place of duty. It is only in case of request change of Head Quarter, the Government can do so.</p> <p>5. In present case, there is no request of Applicant to change of Head Quarter. Thus, ex-facia change of Head Quarter from Solapur to Gadchiroli is totally arbitrary.</p> <p>6. Learned P.O. sought time to take instructions from the Government about change of Head Quarter.</p> <p>7. The matter be kept at 2.30. P.M.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

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	<p align="center">LATER ON</p> <p>8. In afternoon session, learned P.O. submits that Government in its discretion has kept its Headquarter at Gadchiroli. This submission is totally unacceptable rather shows arbitrary approach of the Government. By Circular dated 19.03.2008 as referred above, Headquarter of the Government servant should be at the last place of duty.</p> <p>9. Applicant was posted at Solapur and his Headquarter was kept at Gadchiroli which seems to be deliberate act on the part of the Respondents which is nothing but punitive and in blatant contravention of the Circular dated 19.03.2008.</p> <p>10. In view of above, Headquarter be kept at Solapur. Interim relief in terms of Para 10(a) is granted only to the extent of change of Headquarter.</p> <p>11. Two weeks time is granted to file Affidavit-in-Reply and O.A. will be decided finally instead of considering for Interim relief.</p> <p>12. S.O. to 23.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p>

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	<p>Date : 09.01.2023</p> <p align="center">O.A.No.763 of 2021</p> <p>Y. R. HansekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt Sonali Humane holding for Smt. Ranjana Todankar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed in default on 21.10.2022. However, today in view of order passed in Misc. Application 758/22 in M.A.701/2022, dismissal order is recalled. O.A. is, therefore, required to be decided on merit.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 06.02.2023.</p> <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 style="text-align: center;"><u>O.A. No.25 of 2023</u></p> <p>Basawraj S. Andhale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri P.B. Kamble, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this matter the applicant is challenging answer to Question No.18 for State Services Preliminary Examination, 2022 which was conducted on 21.8.2022. Question is as follows:</p> <p>Q.No.18- What is Alpha, Beta and Gamma Diversity?</p> <p>a) Richness of species b) Simpson's Diversity Index c) For measuring biodiversity over geographical scale d) Whittaker (1972) suggested these terms</p> <p>Which of the statements given above is /are correct?</p> <p>(1) Only (a) and (b) (2) Only (a) (3) Only (c) (4) Only (c) and (d)</p> <p>Applicants has opted answer 4 whereas MPSC states option 3 is the correct answer.</p> <p>3. Ld. Advocate for the applicant submits that Hon'ble High Court is going to decide about this question.</p> <p>4. We have already decided OAs No.1266/2022 & 1267/2022 on 3.1.2023 & OAs No.1145/2022, 1150/2022 & 1175/2022 on 24.11.2022 regarding this question no.18 and we have held that we are not experts and unable to decide whether question is right or wrong. Hence, OA is dismissed.</p> <p style="text-align: center;">Sd/- (Mridula Gadgil) Member (A) 9.1.2023 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 9.1.2023</p>

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	<p>09.01.2023</p> <p><u>O.A 1222/2022 with M.A 708/2022 in O.A 1126/2022</u></p> <p>K.K Gaikwad & Ors K.D Vishe & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Deepak Pote i/b Shri A.G Ambetkar,, learned advocate for the applicants and Mrs K.S Gaikwad, holding for Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned P.O submits that she has received para wise remarks in O.A 1126/2022 and that Respondents will file reply.</p> <p>3. S.O to 6.2.2023. IN 12. 11 Sd/- /v Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>09.01.2023</u></p> <p align="center"><u>O.A 734/2021</u></p> <p>Shri Rajkumar R. Gabhale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Mrs K.S Gaikwad holding for Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant on instructions from the applicant submits that she seeks permission to withdraw the Original Application.</p> <p>3. Original Application stands disposed of as withdrawn.</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>akn</p>

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	<p><u>09.01.2023</u></p> <p align="center"><u>O.A 716, 717, 718, 719, 720 & 730/2022</u></p> <p>H.G Sapkal & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Interim relief to continue till next date.</p> <p>3. Place for final hearing on 27.3.2023.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) // (Mridula Bhatkar, J.) Member (A) Chairperson Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 09.01.2023

O.A.No.364/2021

R.G. Kadam & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Amol, learned Advocate holding for Mr. A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. At the request of learned Advocate adjourned to 24.01.2023 at 2.30 p.m.

Sd/-

(Medha Gadgil)
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<p align="center"><u>09.01.2023</u></p> <p align="center"><u>O.A 1186/2022</u></p> <p>Shri G.T Sahane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Pooja Mankoji i/b Shri S.S Dere, learned advocate for the applicant and Mrs K.S Gaikwad holding for Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that in this matter the order of this Tribunal dated 25.11.2022 rejecting the interim relief was challenged before the Hon'ble Bombay High Court in Writ Petition No. 14786/2022. The order of this Tribunal is not disturbed and the Writ Petition is dismissed by Hon'ble High Court by order dated 2nd December, 2022</p> <p>3. Learned counsel for the applicant submits that the prayer in the Original Application was pertaining to the selection process and as the interim relief is rejected, the main relief does not survive.</p> <p>4. In view of the above, Original Application stands disposed of.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p>Date : 09.01.2023</p> <p align="center">M. A. No.718 of 2022 in O.A.No.1237 of 2022</p> <p>K. V. More & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, two weeks time is granted for admission.</p> <p>3. S. O. to 23.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 09.01.2023</p> <p align="center">O.A. No.1179 of 2022</p> <p>V.B. Helavi (Reddy)Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. Two weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 24.01.2023</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 09.01.2023</p> <p align="center">O.A. No.500 of 2022</p> <p>P.B. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought adjournment stating that matter is being handled by P.O. Shri A.J. Chougule but he is unable to remain present due to his personal difficulties.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O. to 16.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 09.01.2023</p> <p align="center">O.A. No.524 of 2022</p> <p>R.R. Nawghare,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant-in-Person is present. 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. Applicant sought adjournment on the ground that his Advocate is not available. 4. S.O. to 27.01.2023. <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: 09.01.2023</p> <p align="center">O.A. No.569 of 2021</p> <p>M.A. SalveApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that matter is being handled by P.O. Shri A.J. Chougule but he is unable to remain present due to his personal difficulties.</p> <p>3. S.O. to 24.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">M. A. No.106 of 2020 n O.A.No.146 of 2020</p> <p>K. R SutarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Prachi 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. This M.A. needs to be heard along with O.A. Learned P.O. therefore required to file reply to O.A.</p> <p>3. Three weeks time is granted to file reply.</p> <p>4. S.O. to 03.02.2023.</p> <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

Date : 09.01.2023

M. A. No.2 of 2023 in O.A.No.1274 of 2022

B. S. Kapse ...Applicant

Versus

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

1. Heard Shri A. S. Dhannawat, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. This M.A. is filed to condone the delay calculated as 928 days in M.A. 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 06.02.2023.
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 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 06.02.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p style="text-align: center;">O.A.No.29 of 2023</p> <p>L. B. JadhavApplicant</p> <p>Versus</p> <p>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 is seeking inter district transfer from the establishment of C.P. Mumbai to S.P. Nashik (Rural) who had already given NOC by his communication dated 13.09.2022. 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 01.02.2023. 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 01.02.2023. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">M. A. No.731 of 2022 in O.A.No.558 of 2021</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>V. A. Gavade & Ors. ...Respondent (Ori. Applicant)</p> <p>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents) and Shri A. V. Bandiwadekar, learned Counsel for the Respondents (Ori. Applicants).</p> <p>2. This M.A. is filed for extension of time to comply the order passed by the Tribunal in O.A. No.558/2021 on 03.10.2022. The O.A. was allowed and two months' time was granted for compliance in the matter of compassionate appointment. Thus, the Respondents were under obligation to comply the order within stipulated period or to seek for extension before expiry of stipulated period, if there was any such genuine difficulty.</p> <p>3. In present case, M.A. for extension is filed on 15.12.2022 i.e. after expiration of stipulated period. Thus, the Respondents approach seems to be very casual and they are not serious about compliance of order.</p> <p>4. M.A. for extension is, therefore, rejected.</p> <p>5. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.1234 of 2022</p> <p>L. M. GaikwadApplicant</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 P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, one week time is granted to file reply.</p> <p>4. S.O. to 16.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">M. A.No.758 of 2022 in M.A.No.701 of 2022 in O.A.No.763 of 2021</p> <p>Y. R. HansekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt Sonali Humane holding for Smt. Ranjana Todankar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Misc. Application 758/22 is filed for condonation of delay of nine days caused in filing M.A.701/2022 and M.A.701/2022 is filed for restoration of O.A. which is dismissed in default. The O.A.763/2021 is dismissed in default on 21.10.2022. The matter pertains to compassionate appointment.</p> <p>3. In the interest of justice, both M.A.s are allowed so as to decide the O.A. on merit. The delay caused in filing restoration application is also condoned.</p> <p>4. Misc. Applications are accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.1208 of 2022</p> <p>D. B. PatilApplicant</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. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted to file reply.</p> <p>3. S.O. to 24.01.2023.</p> <p align="right">Sd/- (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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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 : 09.01.2023</p> <p align="center">M. A. No.01 of 2021 in O.A.No.02 of 2021</p> <p>S. M. ParopkariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. The Applicant has challenged the order dated 15.05.2012 whereby punishment of withholding of one increment without cumulative effect has been imposed and maintained in appeal by order dated 18.11.2015.</p> <p>3. This M.A. and O.A. was listed before this Tribunal on 30.06.2022 and notices were issued. However, the Applicant did not take any steps to issue notices and to file the service affidavit.</p> <p>4. The perusal of record reveals that the matter was listed before the Registrar for compliance of issuance of notices but no steps were taken. ultimately, it is listed before the Tribunal for appropriate order.</p> <p>5. Thus, the Applicant seems not interested in the matter and failed to take necessary steps to issue notices.</p> <p>6. Hence, M.A. is dismissed in default. Consequently, O.A. also stands dispose of.</p> <p>7. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="right">[P.T.O.]</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">M. A. No.449 of 2022 in O.A.No.940 of 2021</p> <p>S. D. SavaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Poorva Pradhan holding for Shri D. B. Khaire , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted to file reply to M.A.</p> <p>3. S.O. to 24.01.2023.</p> <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

Date : 09.01.2023

O.A.No.30 of 2023

G. N. TateApplicant

Versus

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

1. Heard Shri A. V. Bandiwadkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. The Applicant has challenged the order dated 17.11.2022 whereby his claim for interest on belated payment of gratuity has been 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 07.02.2023.
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 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 07.02.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">M. A. No.122 of 2022 in O.A.No.1118 of 2019</p> <p>D. T. KadamApplicant</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. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the matter is being handled by Shri A. J. Chougule but due to some personal difficulty he is unable to remain present and requested for adjournment.</p> <p>3. S.O. to 25.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 09.01.2023</p> <p align="center">O.A. No.1172 of 2022</p> <p>O.R. ManeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 06.10.2022 whereby he is suspended in contemplation of D.E.</p> <p>3. When the matter is taken up for hearing, learned P.O. tendered order dated 06.01.2023 about revocation of Suspension and reinstatement in service at Hatkanangale on Non-Executive post.</p> <p>4. Thus, the Applicant's grievance of revocation of Suspension and reinstatement in service stands redressed.</p> <p>5. In view of above, O.A. is disposed of with no order as to costs.</p> <p align="right">L</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 09.01.2023</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 two weeks time is granted for Final Hearing.</p> <p>3. S.O. to 27.01.2023.</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: 09.01.2023</p> <p align="center">O.A. No.153 of 2022</p> <p>R.G. SaindaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed additional Affidavit along with Annexure. It is taken on record.</p> <p>3. O.A. be kept for hearing with liberty to P.O. to file counter Affidavit, if necessary.</p> <p>4. S.O. to 23.01.2023.</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 : 09.01.2023</p> <p align="center">M. A. No.690 of 2022 in M.A. No.550 of 2019in O.A.No.989 of 2019</p> <p>D. L. NavghaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Prachi 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. This M.A. is filed for production of documents which is at page nos.7 to 9 of M.A. These are the representations made by the Applicant which he wants to place it on record in O.A.</p> <p>3. Indeed, instead of filing M.A., the Applicant ought to have filed these documents along with additional affidavit so that it could have been annexed to O.A. with proper pagination.</p> <p>4. Be that as it may, the production is allowed. Documents at page nos.7 to 9 of M.A. be annexed to O.A. and be given pagination 45 onward in continuation of O.A.</p> <p>5. M.A. is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">M.A. No.550 of 2019in O.A.No.989 of 2019</p> <p>D. L. NavghaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Prachi 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. On request of learned P.O. two weeks time is granted to file reply to M.A. for condonation of delay.</p> <p>3. S.O. to 27.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">M. A. No.610 of 2022 in O.A.No.182 of 2022</p> <p>A. E. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri V. P. Potbhare, learned Counsel for the Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder on behalf of the Applicant in M.A. It is taken on record.</p> <p>3. Learned P.O. submits that the matter is being handled by Shri A. J. Chougule but he is unable to remain present due to personal difficulty and requested for adjournment.</p> <p>4. S.O. to 12.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 09.01.2023</p> <p align="center">O.A. No.1096 of 2022</p> <p>K.V. KashidApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. Applicant is seeking transfer from the establishment of the Commissioner of Mumbai to the Superintendent of Police, Satara. Initially, the Superintendent of Police, Satara has given NOC to accommodate the Applicant. However, learned Advocate for the Applicant states that the Superintendent of Police, Satara subsequently cancelled the NOC.</p> <p>3. Two weeks time is granted to file Affidavit-in-Reply on behalf of Respondents.</p> <p>4. S.O. to 23.01.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p align="right">[P.T.O.]</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p style="text-align: center;">R. A. No.26 of 2022 in O.A.No.399 of 2022</p> <p>T. D. KumbharApplicant</p> <p>Versus</p> <p>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 Smt. Archana B. K. holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply to R.A. It is taken on record. 3. R.A. be kept for hearing. 4. S.O. to 30.01.2023. <div style="text-align: right; margin-top: 20px;"> <p>Sd/-</p> <p>∨</p> <p>(A.P. Kurhekar)</p> <p>Member(J)</p> </div> <p>vsm</p>

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

Tribunal's orders

Date : 09.01.2023

O.A.No.26 of 2023

D. S. Bane

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. The Applicant has challenged the order dated 10.03.2022 whereby he relieved on temporary deputation at Head Quarter, Ratnagiri.
3. Learned Counsel for the Applicant submits that impugned order amounts to transfer and it is violation of Maharashtra Police Act.
4. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
5. Issue notice before admission returnable on 06.02.2023.
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 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.
7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. 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 06.02.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

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

Tribunal's orders

Date : 09.01.2023

O.A.No.03 of 2023

P. B. Zende

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. The Applicant is seeking interest on delayed payment of retiral benefits.
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 06.02.2023.
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 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 06.02.2023.

Sd/-

v^v

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p style="text-align: center;">M. A. No.08 of 2023 in O.A.No.14 of 2023</p> <p>S. S. Wagh since deceased Legal heirs L.S. Wagh & Anrs.Applicants</p> <p>Versus</p> <p>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 Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents. 2. This M.A. is filed to condone the delay of seven months 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 06.02.2023. 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 06.02.2023. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

Date : 09.01.2023

O.A.No.15 of 2023

S. K. Kuklare

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Om Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. The Applicant is seeking inter district transfer from the establishment of C.P. Mumbai to C.P. Aurangabad. He made representation to C.P. Mumbai on 09.12.2020 but thereafter did not receive any communication. Hence, filed the O.A.

3. Learned P.O. on instructions submits that the C.P. Mumbai had forwarded request of the Applicant to C.P. Aurangabad on 17.03.2022 but willingness from the C.P. Aurangabad is awaited. It if it is really so, there is inordinate delay on the part of C.P. Aurangabad to give reply to communication of C.P. Mumbai

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

5. Issue notice before admission returnable on 23.01.2023.

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

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

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 23.01.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.974 of 2022</p> <p>N .G. KabadiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file reply. However, in the interest of justice, one week time is granted to file the reply by way of last chance.</p> <p>3. S.O. to 23.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.898 of 2022</p> <p>N. S. VaidyaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri V. P. Potbhare, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder to Reply filed by Respondent Nos.4 and 5 separately. It is taken on record.</p> <p>3. O.A. be kept for final hearing.</p> <p>4. S.O. to 30.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.476 of 2021</p> <p>D. D. BrandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Prachi 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. This matter has been transferred from Division Bench and today for the 1st time, it is listed before me.</p> <p>3. The perusal of record reveals that the Respondents have filed Affidavit in Reply and the Applicant has also filed Rejoinder. Thus, O.A. is ripe for final hearing.</p> <p>4. On request of learned Counsel for the Applicant, it is adjourned for final hearing.</p> <p>5. S.O. to 10.02.2023.</p> <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 : 09.01.2023</p> <p style="text-align: center;">O.A.No.1235 of 2022</p> <p>G. V. Bellale ...Applicant</p> <p>Versus</p> <p>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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the communication dated 07.07.2022 whereby his request for retention of lien on the post of Deputy Director of Industries (Technical) has been declined. 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 06.02.2023. 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 06.02.2023. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.537 of 2022</p> <p>A. P. SansareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. F. Wasif, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for hearing at the stage of admission since he wants to place on record certain documents.</p> <p>3. S.O. to 24.01.2023.</p> <p align="right">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.472 of 2021</p> <p>P. B. ChaudhariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Shri U. V. Bhosale, learned Counsel for the Applicant has sent leave note. Smt. Archana B. K., learned Presenting Officer for the Respondent Nos.1 to 4 is present. Shri Sakhare, learned Counsel for the Respondent Nos.5 and 6 is absent.</p> <p>2. In view of leave note of Shri Bhosale, learned Counsel for the Applicant, the matter is adjourned for hearing.</p> <p>3. S.O. to 16.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.01.2023</p> <p align="center">O.A.No.112 of 2018</p> <p>J. P MadyeApplicant</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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant sought short time stating that his brief is not traceable.</p> <p>3. Two days time is granted for final hearing.</p> <p>4. S.O. to 11.01.2023.</p> <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 style="text-align: center;"><u>O.A. No.18 of 2023</u></p> <p>S.B. Rathod ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 6.2.2023. 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 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.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 9.1.2023 9.1.2023</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.1310 of 2022

A.C. Kadam ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

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 6.2.2023. 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)
9.1.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
9.1.2023

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.1295 of 2022</u></p> <p>S.D. Dable ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 6.2.2023. 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 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.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member (A) Chairperson</p> <p style="text-align: center;">9.1.2023 9.1.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.01.2023</u></p> <p><u>M.A 120/2022 in O.A 158/2021 with O.A 223/2021</u></p> <p>Shri M.M Dawane & Ors ... Applicants Shri A.V Dudhar & Ors Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Mis Application is filed seeking to amend the Original Application. Applicants no 1 & 2 are present in person. Learned counsel on instructions states that they do not want to press the Misc Application.</p> <p>3. S.O to 23.1.2023.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil) / Member (A) Akn</p> <p align="right">/ (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.01.2023</u></p> <p><u>M.A 370/2021 in O.A 714/2021</u></p> <p>Akbar Khan A.K Pathan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The present Misc Application is filed seeking condonation of delay of 9 years in filing the Original Application.</p> <p>3. Matter is kept under the caption "Dismissal".</p> <p>4. S.O to 11.1.2023.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.01.2023</u></p> <p align="center"><u>R.A 16/2022 in O.A 859/2021</u></p> <p>Shri N.G. Kabadi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard applicant present in person and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O seeks time to file affidavit in reply.</p> <p>3. S.O to 23.1.2023.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.01.2023</u></p> <p align="center"><u>C.A 45/2022 in O.A 65/2020</u></p> <p>Shri S.P Kapdne\ ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.B Bhosale, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Learned C.P.O submits that the Home Department (Transport) has got approval from the Law & Judiciary Department to file Writ Petition in the Hon'ble Bombay High Court challenging the order of this Tribunal dated 16.2.2022.</p> <p>3. In view of the above matter stands adjourned to 23.1.2023.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.01.2023</u></p> <p><u>M.A 562/2022 in O.A 483/2021</u></p> <p>A.F Murde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that all the pensionary benefits have been given to the applicant as per letter dated 30.12.2022.</p> <p>3. However, the Departmental Enquiry is pending against the applicant, which is the subject matter of the Original Application No. 483/2021.</p> <p>4. S.O to 20.2.2023.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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

Tribunal's orders

O.A. No.726 of 2018

D.V. Sidam ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant who was working as Senior Clerk in the office of Respondent No.2-Registrar of Partnership Firms, Mumbai, which is under respondent no.1, was dismissed from service by order dated 18.12.2012 as a result of enquiry and the said order is challenged in this OA and order of the appellate authority dated 2.6.2018 confirming the dismissal is also challenged.

3. The order of dismissal dated 18.12.2012 was challenged earlier before the appellate authority. The said authority earlier has rejected the appeal by order dated 20.2.2014. Thereafter OA No.332/2014 was filed. Dismissal order was set aside by this Tribunal by order dated 20.7.2015. The said order was challenged by the State in the Hon'ble High Court in W.P. No.8394 of 2015 and the said writ petition was partly allowed. However, the order of the Tribunal was set aside by the Hon'ble High Court by its order dated 9.4.2014 thereby directing the appellate authority to hear and decide the appeal. Subsequently the appellate authority confirmed the order of dismissal and dismissed the appeal by order dated 2.6.2018 which is also subject matter in this OA.

4. DE was initiated after issue of charge sheet on 9.5.2012 for charges of misconduct i.e. four unexplained entries of Rs.500/- which were deposited in the salary account of the applicant in State Bank of India when he was working as Senior Clerk in the office of respondent no.2.

5. S.O. to 24.1.2023. Part Heard.

Sd/-

(Medha Gadgil)
Member (A)
9.1.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
9.1.2023