

**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	Date: 09.05.2024 Tribunal's orders
	<p style="text-align: center;">O.A. No. 1130 of 2023</p> <p>S.G. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents and Ms. Sairuchita Choudhary holding for Shri S. Jagtap, learned Advocate for Respondent No. 2. 2. Learned PO files 'Short Affidavit-in-Reply' dated 02.04.2024 on behalf of Respondent No. 3. It is taken on record. 3. The 'ex-post facto' approval which had been granted by Ministry of Housing & Urban Affairs letter dated 22.03.2024 to appoint 'Respondent No.2' to post of 'CEO' of 'Smart City Development Corporation Limited (SCDCL) Nashik' was subsequently withdrawn by Ministry of Housing & Urban Affairs letter dated 22.03.2024 on grounds of pendency of this O.A. No. 1130/2023. 4. The appointment of Respondent No. 2 to post of 'CEO' of 'Smart City Development Corporation Limited (SCDCL) Nashik' which had been approved by 'Ministry of Housing & Urban Affairs' on 22.03.2024 was required to be withdrawn on 03.04.2024 only because Urban Development Department displayed cavalier approach while submitting proposal to Ministry of Housing & Urban Affairs without informing them about pendency of this O.A. No. 1130/2023. 5. The lament is that all through the proceedings of this O.A. No. 1130 of 2023; Urban Development <p style="text-align: right;">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Department has not only exhibited lackadaisical attitude but even made untruthful assertions contrary to facts as is evident from Orders dated 08.11.2023; 21.11.2023; 04.12.2024; 03.01.2024; 24.01.2024; 21.02.2024 wherein it was recorded that proposal for 'ex post facto' approval of appointment of 'Respondent No.2' to post of 'CEO' of 'Smart City Development Corporation Limited (SCDCL) Nashik' had been submitted to Ministry of Housing & Urban Affairs. Now truth has been belatedly un-raveled by 'Short Affidavit' dated 02.04.2024 filed on behalf of 'Principal Secretary, Urban Development Department' which mentions that proposal for 'ex-post facto' approval to appointment of 'Respondent No.2' on the post of 'CEO' of 'Smart City Development Corporation Limited (SCDCL) Nashik' was submitted only on 06.03.2024 to 'Ministry of Housing & Urban Affairs'.</p> <p>6. The Urban Development Department further did not confide any factual aspects about the 'Applicant' or 'Respondent No.2' before 'Hon'ble Bombay High Court' as 'Respondent No.2' had repeatedly filed (a) WP No. 13096/2023 (b) WP No. 15453/2023 and (c) WP No. 67/2024.</p> <p>7. The peculiar facts and circumstances relating to proposal for grant of 'ex post facto' approval for appointment of 'Respondent No.2' to post of 'CEO' of 'Smart City Development Corporation Limited (SCDCL) Nashik' makes it compelling to now direct that at this stage the post cannot held by either 'Applicant' or 'Respondent No.2.' Hence; the 'Interim Relief' granted on 31.08.2023 stands vacated qua the 'Applicant'.</p> <p>8. The Urban Development Department in the interregnum and till appropriate orders are obtained from Ministry of Housing & Urban Affairs about who is to be appointed on post of 'CEO' of 'Smart City Development Corporation Limited (SCDCL) Nashik'; may decide to hand over 'Additional Charge' of the post of 'CEO' of 'Smart City Development Corporation Limited (SCDCL) Nashik' to 'Municipal Commissioner NMC'.</p> <p>9. S.O. to 19.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

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<p style="text-align: center;">Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: center;">Date: 09.05.2024 Tribunal's orders</p> <hr/> <p style="text-align: center;">O.A. No.281 of 2024</p> <p style="text-align: center;">K.P. ManeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri. A.V. Bandiwadekar, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents. Shri S.S. Thorat, learned Advocate for Respondent No.4 is Not Present.</p> <p>2. Learned Advocate for Applicant states that 'Additional Chief Secretary Rural Development Department' has not initiated any definitive action with regard to observations made in 'Para 5' and 'Para 6' of Order dated 18.03.2024 and 'Para 3' and 'Para 4' of Order dated 10.04.2024.</p> <p>3. The Applicant was transferred by Rural Development Department Order dated 23.02.2024 while serving on post of 'B.D.O. Panchayat Samiti, Koregaon, District Satara'. Applicant came to be relieved by Smt. Supriya Chavan, - Respondent No.4 who was earlier serving on post of 'B.D.O Panchayat Samiti, Kadegaon, District Sangli'. Smt. Supriya Chavan-Respondent No.4 has been transferred on grounds of 'Home District' even though she was assigned duty of 'Sector Officer' which stands exempted as per 'Para 6.3' of directions in Election Commission of India letter dated 21.12.2023. The Applicant was also transferred on grounds of 'Home District' from post of 'B.D.O. Panchayat Samiti, Koregaon, District Satara' although entrusted with work of 'Postal Ballot Papers/ Dummy Ballot Papers'.</p> <p>4. The Applicant has been transferred to post of 'Deputy Chief Executive Officer (EGS) in office of</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>'Divisional Commissioner, Pune' which was not vacant as has been observed in 'Para 2' of Order dated 29.02.2024. Thus, against this backdrop 'Additional Chief Secretary, Rural Development Department' was expected as per observations in 'Para 4' of Order dated 10.04.2024 to provide information about posts of 'B.D.O's Panchayat Samiti' which are likely to be available in 'Pune Division' during 'General Transfers: 2024'.</p> <p>5. The case of Applicant as well as Respondent No.4 reflect the cavalier approach towards implementation of the directions in Election Commission of India letter dated 21.12.2023 as it was equally important to also observe exemptions which have been provided and thereafter transfer only those 'Government Servants' who were connected directly with 'General Elections Lok Sabha: 2024' on grounds of having completed '3 Years' in the district during last '4 Years' or being posted in 'Home Districts'.</p> <p>6. The directions of 'Election Commission of India letter dated 21.12.2023' for transfer of 'Government Servants' evidently are distinct from criteria adopted for transfers of 'Government Servants' under 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'.</p> <p>7. The 'Additional Chief Secretary, Rural Development Department' against the backdrop mentioned above is informed to refer to observations made in following judgments of Hon'ble Bombay High Court which have delved into the issue of transfers of 'Government Servants' based on directions of 'State Election Commission' which are similar to those issued by 'Election Commission of India'.</p> <p>8. The Hon'ble Bombay High Court in its Judgment in Writ Petition No. 6041 of 2017 & Others dated 04.04.2018 observed the following:-</p> <p><i>The petitioners and others were transferred on consideration of guidelines/directives of the State Election Commission and in view of the initiation of process of election for local authorities and since the purpose for which they were shifted before completion</i></p>

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	<p><i>of their normal tenure, is already over and the process of election has come to an end long back, it would be open for the State to pass appropriate orders of transfer for reposting them at an appropriate place, in observance of the procedure prescribed under the Transfer Act.</i></p> <p><i>Apart from this, it also deserves to be considered that the orders of transfer have been given effect more than a year back and any interference, at this stage, would amount to displacement of several employees thereby creating difficulties in the administration. The orders of transfer are expected to be issued considering the administrative exigencies. However, as has been noted above, interference at this stage, would, instead of, protecting interest of the administration, would created difficulties, as has been canvassed by the State. In this view of the matter and for the reasons recorded above, according to us, orders passed by the Maharashtra Administrative Tribunal, directing to quash the orders of transfer under the impugned judgment and order dated 24.04.2017, deserves to be quashed and set aside and same is accordingly quashed and set aside. It is, however, made clear that it would be open for the State to pass appropriate orders transferring the employees, if deemed necessary for administrative exigencies while effecting regular process in the months of April-May, 2018.</i></p> <p>9. The Hon'ble Bombay High Court in its judgment dated 07.12.2016 in Writ Petition No. 9499 of 2016 has also observed the following.</p> <p><i>It is likely that in some cases, some inconvenience could be caused to the employees who had been transferred due to holding of elections in a</i></p>

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particular district or local area, but keeping in view the larger public interest, if the State Election Commissioner had taken a decision, the State Government would implement the same keeping in view constitutional intent and spirit and for holding free and fair elections. It is informed that in the State of Maharashtra, election process relating to elections of Corporations, Councils, Panchayats, Zilla Parishad, Village Panchayat is already set in motion.

The State Government and the State Election Commissioner are free to contemplate on the issue of transfer of officers keeping in view various aspects for consideration and frame a proper policy for future with sole objective of holding free and fair election.

10. The 'Hon'ble Bombay High Court' in Judgments cited above have not only highlighted the transient character of such transfers which are often done in observance of directions given by 'State Election Commission' or 'Election Commission of India' but more importantly they have specifically emphasized about necessity to frame separate policy for such transfers. However, no information about formulation of any separate policy has thus far been submitted on behalf of 'Additional Chief Secretary, Rural Development Department'.

11. The 'Additional Chief Secretary, Rural Development Department' against the backdrop of the Judgments of Hon'ble Bombay High Court to submit information if any initiatives have been taken to frame proper policy regarding transfers which are required to be done even more frequently as per directions of 'State Election Commission' prior to conduct of elections to (a) Zilla Parishads (b) Panchayat Samitis (c) Gram Panchayats by 'State Election Commission'.

12. The 'Additional Chief Secretary, Rural Development Department' to suggest broad outlines of what course of action can now be taken in cases of transfer of officers like 'Applicant' who belong to 'Maharashtra Development Service' given the fact that their legal entitlements under 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act,

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2005 have not extirpated just because transfers have been done in observance of directions in Election Commission of India letter dated 21.12.2023. Further it will not be out of context to note that on one hand implementation of directions of 'Election Commission of India' letter dated 21.12.2023 will have cascading effect in near future with its outreach going beyond 'General Elections Lok Sabha 2024' upto 'General Elections of Maharashtra Legislative Assembly: 2024' and possibly at time of 'General Elections' to 'Urban & Rural Bodies' when conducted in by 'State Election Commission'; while on the other hand the necessity to diligently carry out fair assessment of overall impact on 'Public Exchequer' as well as other 'Administrative Exigencies', if such transfers were to be modified or changed or even set aside in 'Judicial Review'.

13. The Applicant has been transferred to non-available post of 'Deputy Chief Executive Officer' (EGS) in office of 'Divisional Commissioner, Pune'. Hence Applicant is permitted to submit fresh representation to 'Additional Chief Secretary, Rural Development Department' within 'Two Weeks' to seeking transfer to any 'Vacant Post' of 'Maharashtra Development Service' in Pune Division.

14. The 'Additional Chief Secretary, Rural Development Department' thereafter to expeditiously consider the fresh representation of Applicant within 'Two Weeks' and forthwith issue modified Transfer Order of Applicant.

15. S.O. to 18.06.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

AGR

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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: 09.05.2024</p> <p align="center">O.A. No.610 of 2024</p> <p>G.N. BadadareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Leaned Advocate for Applicant states that Applicant was working on post of 'Chief Administrative Officer' in 'B.J. Government Medical College and Sassoon Hospital, Pune' from where he retired on 31.03.2024.</p> <p>3. Learned Advocate for Applicant emphasizes that Applicant has been issued 'P.P.O' on 15.03.2024 by the office of 'Principal Accountant General (A&EI) Mumbai' but disbursement of 'Regular Pension' has been stopped following 'Commissioner, Medical Education & Research, Mumbai' letter dated 15.03.2024 to 'Dean' of 'B.J. Government Medical College and Sassoon Hospital, Pune' wherein it has been mentioned that (a) 'No Dues Certificate' & (b) 'No Departmental Enquiry Certificate' for the post of 'Chief Administrative Officer' were required to be issued by 'Medical Education and Drugs Department'.</p> <p>4. The 'Commissioner, Medical Education & Research, Mumbai' by considering that 'P.P.O.' dated 15.03.2024 had been issued to Applicant by office of 'Principal Accountant General (A&EI) Mumbai' should therefore have immediately forwarded proposal for issue of (a) 'No Dues Certificate' & (b) 'No Departmental Enquiry Certificate' in respect of Applicant by 'Medical Education Drugs Department'.</p>

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5. The 'Commissioner, Medical Education & Research, Mumbai' should atleast now within 'One Week' submit proposal to 'Principal Secretary, Medical Education Drugs Department' for issue of (a) 'No Dues Certificate' & 'No Departmental Enquiry Certificate' to Applicant.

6. The 'Principal Secretary, Medical Education Drugs Department' to take appropriate action within 'Two Weeks' thereafter; so that Applicant can be enabled to receive 'Regular Pension' as per 'P.P.O.' dated 15.03.2024 issued by office of 'Principal Accountant General (A&EI) Mumbai'.

7. S.O. to 18.06.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

NMN

Date: 09.05.2024

O.A. No.611 of 2024

T.M.A. KhanApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Shri D.R. Patil, learned Presenting Officer for Respondents.
2. Learned Advocate for Applicant states that Applicant retired from post of 'Lecturer in Botany' from 'Elphinstone College, Mumbai' on 30.11.2022.
3. Learned Advocate then states that Applicant has still not received any of her 'Retirement Benefits' on account of Order passed on 15.03.2024 by the 'Respondent No.2 – Director of Education (Higher Education), Maharashtra State, Pune' on grounds that dates of grant of 'Senior Grade' and 'Selection Grade' were different from when they were sanctioned earlier to Applicant.
4. Learned Advocate for Applicant further clarifies that dates of grant of 'Senior Grade' was changed from 01.07.20223 to 19.05.2007 and that of 'Selection Grade' was changed from 01.07.2015 to 19.05.2019, with likelihood of some recovery from 'Retirement Benefits' due to Applicant.
5. Learned Advocate for Applicant emphasized that although Applicant had retired on 30.11.2022 she has still not received 'Retirement Benefits' such as 'G.I.S.;*Gratuity & *Leave Encashment' besides 'Regular Pension' from 01.12.2022 primarily because 'Pension Papers' have not been submitted by 'Principal' of 'Elphinstone College, Mumbai' to 'Director of Education (Higher Education), Maharashtra State, Pune'
6. Learned P.O. seeks time to obtain information from the Respondent Nos.2 & 3.
7. The Applicant has retired from services on 30.11.2022 making her entitled to receive her 'Regular Pension' besides other 'Retirement Benefits' such as 'G.I.S.;*Gratuity & *Leave Encashment' with applicable 'Penal Interest'.

8. The 'Director of Education (Higher Education), Maharashtra State, Pune' also informed by 'Next Date' to calculate specific amount of recovery from 'Retirement Benefits' if any; as it would be necessary to expeditiously adjudicate grievances of Applicant.

9. The 'Director of Education (Higher Education), Maharashtra State, Pune' further directed to maintain 'Status Quo' about recovery till full information is submitted on 'Next Date', as well as take expeditious steps to keep the 'Pension Papers' of Applicant ready for submission to 'Principal AG (A&E)-I Mumbai.'

10 The 'Director of Education (Higher Education), Maharashtra State, Pune' in the meanwhile to sanction 'Provisional Pension' to Applicant as per extant standing instructions within 'One Week'; so that she can start receiving payment by 31.05.2024.

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

12. Issue notice before admission returnable on 19.06.2024.

13. 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.

14. 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.

15. 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.

16. 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 Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

17. S.O. to 19.06.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

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<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date: 09.05.2024 Tribunal's orders</p>
	<p>O.A. No.1550 of 2023</p> <p>U. B. KumbharApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri H.A. Sathe, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 11.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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: 09.05.2024</p> <p>O.A. No.1081 of 2023</p> <p>R.D. GhunkikarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 10.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

AGR

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 09.05.2024
	<p style="text-align: center;">O.A. No. 1255 of 2023</p> <p>B.A. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad with Shri A.J. Chougule, learned Presenting Officer for the Respondents. Shri M.A. Lonkar, learned Counsel for Respondent No.4 – Municipal Commissioner, Pune Municipal Corporation.</p> <p>2. Learned Advocate for Applicant has filed 'Affidavit-in-Rejoinder' on behalf of Applicant dated 07.05.2024. It is taken on record.</p> <p>3. 'Interim Relief' to continue till 'Next Date'.</p> <p>4. S.O. to 25.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

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	<p>Date: 09.05.2024</p> <p>O.A. No. 1189 of 2023</p> <p>S.K. BholeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.2. 'Interim Relief' to continue till 'Next Date'.3. S.O. to 18.06.2024. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 09.05.2024
	<p style="text-align: center;">O.A. No. 1407 of 2023</p> <p>Dr. L.G. BhalshankarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 18.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">AGR</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 09.05.2024
	<p style="text-align: center;">O.A. No.1464 of 2023 with O.A. 1485 of 2023</p> <p>S.A. Kotkar & Ors. D.G. HiwaleApplicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief' to continue till 'Next Date' in O.A. No. 1464 of 2023 with O.A. No. 1485 of 2023.</p> <p>3. S.O. to 19.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">AGR</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 09.05.2024
	<p style="text-align: center;">O.A. No.282 of 2024</p> <p>Dr. R.S. SatputeApplicant 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. Shri M.D. Lonkar, learned Advocate for Respondent No.5 – Intervener.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 11.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">AGR</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 09.05.2024
	<p style="text-align: center;">O.A. No. 390 of 2024</p> <p>V.R. BhosaleApplicant 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. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 21.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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Date: 09.05.2024

O.A. No. 413 of 2024

C.S. SalunkheApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. Learned PO files 'Affidavit-in-Reply' on behalf of Respondent No.1. It is taken on record.

3. S.O. to 20.06.2024

Sd/-

(Debashish Chakrabarty)
Member (A)

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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: 09.05.2024</p> <p>O.A. No.818 of 2023</p> <p>Dr. D.A. ShengalApplicant 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. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 13.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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>Date: 09.05.2024</p> <p>O.A. No. 414 of 2024 with O.A. No. 522 of 2024 with O.A. No. 527 of 2024</p> <p>A.V. Malwad & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned PO files 'Affidavit-in-Reply' on behalf of Respondent Nos. 1 to 3. It is taken on record.</p> <p>3. S.O. to 21.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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>Date: 09.05.2024</p> <p>O.A. No. 539 of 2024</p> <p>S.G.H. AtarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO files 'Affidavit-in-Reply' on behalf of Respondent. It is taken on record.</p> <p>3. S.O to 12.06.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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>Date: 09.05.2024</p> <p style="text-align: center;">M.A. No.294 of 2024 in O.A. No.609 of 2024</p> <p>A.P. KshirsagarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.G. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that there is substantial delay in filing O.A. No.609/2024 on 02.05.2024 and thus seeks time to file reply regarding admissibility of 'M.A. No.294/2024' for 'Condonation of Delay' in filing of O.A. No.609/2024.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 19.06.2024.</p> <p>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.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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>

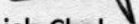
Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

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 Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

9. S.O. to 19.06.2024.

Sd/-


(Debashish Chakrabarty)
Member (A)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>O.A.No.349 of 2024 (DB-II)</p> <p>S.C.BhosaleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents 2. The learned Counsel for Applicant relied on the Affidavit in Reply filed on 26.04.2024 by Shri Navnath Fartade, Deputy Director on behalf of Respondent No.3 whereas in Para 18, it is stated that 'Soft Tennis Association of Maharashtra' is recognized unit of 'Maharashtra Olympic Association'. The document in support of this is annexed at 'Exhibit R2' 3. Whereas learned PO for Respondents submit that it is also mentioned in para 18 of Affidavit in Reply that Applicant did not produce letter dated 28.8.2023 issued by 'Maharashtra Olympic Association' showing recognition which is at 'Exhibit R2'. Therefore, it could not be said that 'Sport Certificate' was rightly invalidated. 4. This matter pertains to validity of 'Sports Certificate' which was rejected by Respondent No.3. The learned Counsel for Applicant submits that Secretary General of 'Maharashtra Olympic Association' issued a letter dated 28.08.2023 to the 'Soft Tennis Association of Maharashtra' whereby -

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>informing that 'Tennis Sports' are included in 'Asian Games 2023 in China'. Thereafter, Respondent No.3 also received letter of intimation from the 'Soft Tennis Association of Maharashtra' whereby it was informed that they have received the affiliation and 'Soft Tennis' is included in Asian Games hence as per Government Policy, the candidates who played 'Soft Tennis' from 2020 to 2024 are eligible for 5% 'Sports Reservation' . However, without considering the letter dated 28.08.2023 and the 'Soft Tennis Association' has an affiliation with 'Maharashtra Olympic Association', the Respondent No.3 & Respondent No.5 vide orders dated 27.03.2024 and 31.01.2024 did not grant 5% reservation under the 'Sportsperson Quota' in light of GR dated 01.07.2016.</p> <p>5. We, therefore, direct Respondent No.3 – Director of Sports & Youth Services, Pune and Respondent No.5- Deputy Director of Sports & Youth Services, Kolhapur to consider the document and file affidavit to that effect whether on the basis of this document, the Sport Certificate' can be validated. Till then Respondent No.4 is directed not to take any coercive action against Applicant who is undergoing training on the post of 'Police Constable'.</p> <p>6. S.O. to 13.06.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>O.A.No.635 of 2024 (DB-II)</p> <p>V. R. Nagargoje & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Purva Pradhan holding for Shri V. S. Kadam, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The Applicants in this OA who aspired to be for the post of 'Police Constable' praying that communication dated 19.04.2024 passed by Respondent No.2 be quashed and set aside pursuant to Advertisement dated 08.11.2022. The Applicants also seek relief to quash and set aside the letter/order dated 01.03.2024 passed by Respondent No.4 thereby declaring the 'Sports Certificate' issued by 'Maharashtra Sepak Takraw Association' as invalid. 3. The learned Counsel for Applicant submits that Applicant Nos.1, 2, 3 & 4 has secured 115, 113, 109 and 111 marks respectively. Learned Counsel further submits that the Applicants are meritorious, however due to passing of impugned order dated 19.04.2024 their selection for the post of 'Police Constable' is cancelled, therefore, she prays for 'Interim Relief'. 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 14.06.2024. 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.

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

Tribunal's orders

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. It is made clear that if any appointments are made, it will be subject to outcome of this OA qua 'Sports Quota' in 'EWS', 'OPEN' and "NT-D' Category'.

11. S.O. to 14.06.2024.

Sd/- Sd/-
(Debashish Chakrabarty) (Mridula Bhatkar, J.)
Member (A) Chairperson

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>O.A.No.359 of 2024 With O.A.No.280of 2024 (DB-II)</p> <p>A. S. Bandekar & Ors. A. R. Sonune & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. B. Chalak, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. S.O. to 14.06.2024. '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
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>M. A. No.302 of 2024 In O.A.No.635 of 2024 (DB-II)</p> <p>V. R. Nagargoje & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Purva Pradhan holding for Shri V. S. Kadam, learned Counsel for the Applicants 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.302/2024 is allowed. No order as to costs.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>O.A.No.1309 of 2024 (DB-I)</p> <p>S. S. Raskar Applicant</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 learned Counsel for Applicant submits that she will produce chart on record.</p> <p>3. S.O. to 12.06.2024.</p> <p style="text-align: center;"> Sd/- Sd/- </p> <p style="text-align: center;"> (Debashish Chakrabarty) (Mridula Bhatkar, J.) </p> <p style="text-align: center;"> Member (A) Chairperson </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 : 09.05.2024</p> <p>O.A.No.619 of 2024 With O.A.No.620 of 2024 (DB-II)</p> <p>S. K. Gutte & S. S. BhatApplicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri O.A. Wable, learned Counsel for the Applicants, Ms S.P. Manchekar, learned Chief Presenting Officer and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. In both matters, the Respondent No.2 vide communication dated 19.04.2024 informed the Applicants that they are not eligible for the post of 'Police Shipai' as their 'Sport Certificates' are declared invalidated by Respondent No.3.</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 14.06.2024.</p> <p>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.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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>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.</p> <p>9. The learned Counsel for Applicants presses for 'Interim Relief'. The matter is filed on 06.05.2024 and on account of summer vacation, it is fixed on 14.06.2024. It is made clear that if any appointments are made, it will be subject to outcome of these OAs qua 'Sports Category.</p> <p>10. S.O. to 14.06.2024.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</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 : 09.05.2024</p> <p style="text-align: center;">O.A.No.593 of 2024 (DB-II)</p> <p>S. G. KambleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 25.06.2024. 4. 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. 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 <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. 8. S.O. to 25.06.2024. <p style="text-align: center;">Sd/- Sd/-</p> <p>(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</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 : 09.05.2024</p> <p style="text-align: center;">O.A.No.630 of 2024 (DB-II)</p> <p>S. S. ThengadiApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V. A. Nagrani, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 14.06.2024. 4. 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. 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 <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. 8. S.O. to 14.06.2024. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</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 : 09.05.2024</p> <p style="text-align: center;">O.A.No.622 of 2024 (DB-II)</p> <p>J. K. NaikApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S.Dere, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 27.06.2024. 4. 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. 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 <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. 8. S.O. to 27.06.2024. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>M. A. No.644 of 2023 in O.A.No.460 of 2023 (DB-II)</p> <p>K. B. Ghodke & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Gaikwar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. S.O. to 10.05.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</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>Date : 09.05.2024</p> <p>O.A.No.418 of 2024 (DB-II)</p> <p>N. N. MukhyadalApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. The learned CPO seeks time to file Affidavit in Reply.</p> <p>3. S.O. to 19.06.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p style="text-align: right;">O.A.No.1252 of 2024 (DB -I)</p> <p>M.R. BatuleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms R. Kadam holding for Shri P. B. Kadam, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned CPO seeks time to file reply.</p> <p>3. S.O. to 12.06.2024.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sd/-</i></p> <p>(Debashish Chakrabarty) Member (A)</p> </div> <div style="text-align: center;"> <p><i>Sd/-</i></p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>O.A.No.596 of 2024 (DB-II)</p> <p>M. N.NerlekarApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D.Lonkar, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents 2. The learned CPO submits that DGP, Maharashtra State has sent proposal to Government – Additional Chief Secretary, Home Department to take action as per 'Clause 9' of GAD GR dated 15.12.2017. 3. The Additional Chief Secretary, Home Department is directed to take decision within six weeks and communicate the decision to the Applicant within two weeks thereafter. 4. S.O. to 04.07.2024. <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sd/-</i> (Debashish Chakrabarty) Member (A)</p> </div> <div style="text-align: center;"> <p><i>Sd/-</i> (Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

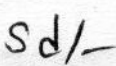
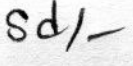
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.05.2024</p> <p>O.A.No.216 of 2024 (DB-II)</p> <p>Dr. S. D. WaghApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned CPO as per instructions received from Smt. Smita Kurtadkar, Under Secretary, MPSC submits that MPSC will declare the result of Applicant by today evening or tomorrow. It is to be declared.</p> <p>3. S.O. 10.05.2024.</p> <p style="text-align: center;">  (Debashish Chakrabarty) Member (A) </p> <p style="text-align: center;">  (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 orders

Date : 09.05.2024

O.A.No.569 of 2024
(DB-II)

R. B.Zendage & Ors.Applicants
Versus

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

1. Heard Shri S. A. Ambulkar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents and Shri D. B. Khaire, learned Counsel for Respondent No.1.

2. Learned Counsel for Applicants submits that cut off marks for State Tax Inspector (STI) is 279 and Sub-Registrar (SR) is 292. He states that Applicants have secured less marks than the cut-off marks.

3. The learned Counsel for Respondent No.1 on instructions submits that selection process in respect of Police Sub Inspector (PSI) and Assistant Section Officer (ASO) is not processed.

4. We direct MPSC to consider about observing Rule No.11.2 of (1) and (2) of Advertisement No.070/2023 dated 15.09.2023 even for recommended candidates of Sub Registrar (SR) and State Tax Inspector (STI) . The recommendations by MPSC for appointment of Sub Registrar (SR) was made on 22.04.2024 and for Sales Tax Inspector (STI) was made on 24.04.2024 which are subsequent to filing of O.A.No.569/2024 on 18.04.2024. The principal challenge of Applicants relates to observance of procedure of recommendation of the names of successful candidates by MPSC only upon observance of Rule 11.02 of (1) and (2) of Advertisement No.070/2023 dated 15.09.2023. The MPSC must take note of the fact that observance of Rule 11.02 of (1) and (2) of Advertisement No.070/2023 dated 15.09.2023 was an intrinsic compulsory part of the procedure to finalize names of candidates for recommendation to State Government for appointment and thus could not have been given the go by even while recommending successful candidates for Sub Registrar (SR) and State Tax Inspector (STI), as it raises important issues relating to observance of all procedures of MPSC as otherwise legal challenges are bound to happen in matters of 'Public Employment'.

5. S.O. to 10.05.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

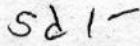
(Mridula Bhatkar, J.)
Chairperson

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

Date : 09.05.2024
Tribunal's orders
O.A.No.617 of 2024
(DB-II)

B. K. GuleApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri U.V. Bhosale, learned Counsel for the Applicants and Shri A. D. Gugale, learned Presenting Officer for the Respondents
2. The Applicant challenges the order dated 01.03.2024 issued by Respondent No.1 in respect of promotion from Handicapped Quota to Respondent No.3 who is working as 'Clerk Typist' which is same cadre but Respondent No.3 has given promotion to post of 'Assistant Section Officer' on 07.03.2024.
3. The learned Counsel for Applicant presses for 'Interim Relief'. We direct learned Counsel for Applicant to serve the copy of OA to Respondent No.3 afresh today before 5.00 PM as service copy tendered by learned Counsel, for Applicant was not appropriate.
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 10.05.2024.
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 10.05.2024.


 (Debashish Chakrabarty) (Mridula Bhatkar, J.)
 Member (A) Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.05.2024</u></p> <p><u>M.A 295/2024 in O.A 923/2023</u></p> <p><u>Through Video Conference</u></p> <p>N.E Gaikwad & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri G.G Bade, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The Misc Application is filed under Section 25 of the Administrative Tribunals Act for transferring the Original Application from M.A.T, Nagpur Bench to Principal Bench at Mumbai on the ground of non-availability of Division Bench at Nagpur.</p> <p>3. Learned P.O submits to the order of the Court as the factual position is correct.</p> <p>4. I would like to point out to the order passed by the Division Bench of the Hon'ble Bombay High Court, Nagpur Bench dated 8.5.2024 in P.I.L No. 29/2021, Adv. Rahul V. Shiralkar Vs. State of Maharashtra & Ors. The relevant portion is reproduced below:-</p> <p>“1. It is brought to our notice through an affidavit sworn by the Additional Chief Secretary that on 14th March, 2024 the recommendations were made for appointment of Member Judicial and Member Administrative on the Maharashtra Administrative Tribunal.</p> <p>2. The fact remains that as the benches particularly at Nagpur the Division Bench is not constituted as the Administrative Member is not available.</p> <p>3. It can make out from the aforesaid affidavit that the proposal is pending with the Government of India, Ministry of Personnel, P.G & Pensions, Department of Personnel & Training, North Block, New Delhi for clearing the appointment of the Judicial and Administrative Members on the Maharashtra Administrative Tribunal, since 14th March, 2024.</p> ”

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

Tribunal's orders

4. As such, we deem it appropriate to direct the respondent no. 2, who is represented by Deputy Solicitor General of India Shri N.S Deshpande, to take decision on the said proposal as expeditiously as possible and in any case within a period of eight weeks from today."

5. In view of this order I am hopeful that the Division Bench of the Maharashtra Administrative Tribunal, Nagpur Bench will be available and will start functioning in the first week of July, 2024. Interregnum, this Original Application can be placed before Member (Judicial) or Member (Administrative) for interim order, if he wants.

6. Misc Application stands disposed of with liberty to the applicants that if the Bench is not available even after 10th July, 2024, then Application can be moved for transfer under Section 25 of the Administrative Tribunals Act, 1985.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.05.2024</u></p> <p><u>O.A 634/2024</u></p> <p>Smt Maya S. Nagarkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.2. Learned counsel prays that the Respondents to consider the request of the applicant's application dated 9.3.2023, 8.6.2023, 23.8.2023, 9.10.2023, 7.2.2024 and 7.3.2024 for transfer to Pune during the General Transfer-2024 and post her on any vacant post at Pune3. Learned counsel submits that the applicant is having three children and father-in-law of 92 years. The applicant was transferred to Raigad in the year 2018 and is now working at Mumbai from 2022 and she is out of Pune since 6 years. Learned counsel further submitted that her elder son who is in 2nd year Diploma he is having mental stress and undergoing psychological counselling. Learned counsel further submits that there are 8 vacant posts in Pune.4. Learned P.O seeks time to take instructions in the matter.5. Issue notice before admission returnable on 10.5.2024.6. 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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>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 Applications shall stand dismissed."</p> <p>10. S.O to 10.5.2024.</p> <p style="text-align: right;">Sd/- ✓ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>09.05.2024</u></p> <p align="center"><u>O.A 616/2024</u></p> <p>S.S Khatke ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Smt Punam Mahajan, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. The applicant is aggrieved by the order dated 16.6.2023 by which applicant is transferred from Police Commissionerate, Pune City, Pune to Police Commisisonerate, Nasik and seeking request to transfer to Police Commissionerate, Pune City/Police Commissionerate, Pimpri-Chinchwad/Non-Executive post in Pune on the ground of care-giver dependent daughter with Specified Disability. 3. Learnd counsel submits that the request of the applicant be considered by the Respondents in the ensuing general transfers of the year 2024. Learned counsel submits that the applicant is having 24 year old daughter with specified disability, i.e., 100% mentally disabled and 90% physically disabled. Learned counsel further submits that she needs special care and all facilities are available in Pune where he was posted for 6 years. 4. Learned counsel for the applicant is relying on G.R dated 26.8.1993 and Office Memorandum dated 6.6.2014 regarding posting of Government employees who have differently abled dependents. She further relied on Office Memorandum dated 8.10.2018 wherein exemption is given to the parents of disabled children in routine transfer. 5. Prima facie, after going through the record it appears that the applicant is having 24 years old disabled daughter and it is a fit case for the Government to consider his request for transfer to Police Commissionerate, Pune City/Police Commissionerate, Pimpri-Chinchwad/Non-Executive post in Pune in view of G.R dated 26.8.1993 and Office Memorandum dated 6.6.2014 and 8.10.2018 issued by the Central Government, in the general transfer of the year 2024.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Issue notice before admission returnable on 20.6.2024.</p> <p>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. 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>10. In case notice is not collected within seven days or service report on affidavit in 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 Applications shall stand dismissed."</p> <p>11. S.O to 20.6.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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09.05.2024

O.A 623/2024

Mininath Dandvate ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.S Dere, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.
2. The applicant challenges the impugned transfer order dated 19.3.2024 qua the applicant thereby transferring him from the post of Deputy Commissioner, PCMC.
3. Issue notice before admission returnable on 13.6.2024.
4. 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.
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 in 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 Applications shall stand dismissed."
8. S.O to 13.6.2024.

Sd/-

(Mridula Bhatkar, J.)
 Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

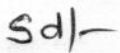
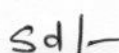
M.A./R.A./C.A. No. _____ of 20 _____

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: 09.05.2024</p> <p align="center">O.A. No.615 of 2024</p> <p>R.R. ShirkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The subject of O.A. No.615/2024 is about reduction of retirement age of Applicant to '58 Years' from '60 Years' as he belongs to 'Group D' serving on the post of 'Lab Attendant'.</p> <p>3. The subject relating 'Retirement' is to be placed before 'Division Bench'. Hence, the O.A. No.615/2024 be placed before 'Division Bench' on 10.05.2024.</p> <p>4. S.O. to 10.05.2024.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</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.279 of 2018</u></p> <p>R.B. Jaid ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri B.A. Bandiwadekar, Ld. Advocate for the applicant is absent.</p> <p>3. The applicant, a Deputy Commissioner of Sale Tax, Mumbai prays for setting aside the order dated 13.6.2017 under which applicant to be denied Senior Pay Scale (Selection Grade) in the pay band of Rs.15600-39100 with GP of Rs.7600/- from the due date as per GR dated 12.2.2016 and grant the said benefits to the applicant from the due date along with interests on arrears.</p> <p>4. Ld. PO relies on the affidavit in reply dated 14.12.2018 filed by Vinayak D. Churi, Under Secretary, Finance Department, Mantralaya, Mumbai and states that Selection Grade was not granted to the applicant as two DEs were pending against the applicant. He was considered not fit to grant Selection Grade in the Establishment Board Meeting held on 25.5.2017 and therefore the name of the applicant did not appear in the order dated 13.6.2017 which is under challenge. Ld. PO submits that both the DEs were concluded by granting punishment of censure on 27.4.2018 & 3.5.2018. Meanwhile the ACRs of the applicant were upgraded and applicant was promoted on 17.11.2018 to the post of Joint Commissioner of State Tax. The respondents sent proposal on 28.11.2018 for grant of Selection Grade to the GAD and he was accordingly granted the same on 4.9.2019.</p> <p>5. Thus, it appears that the grievance of the applicant is redressed and the OA has become infructuous. OA is disposed off as such accordingly.</p> <p style="text-align: center;">  (Debashish Chakrabarty) Member (A) 9.5.2024 (sgj) </p> <p style="text-align: center;">  (Mridula Bhatkar, J.) Chairperson 9.5.2024 </p>

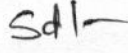
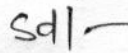
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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.1096 of 2017</u></p> <p>S.S. Kerle ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Both the sides seek time.</p> <p>3. S.O. to 14.6.2024. Part heard. To be placed before the Second DB.</p> <p align="center">  (Debashish Chakrabarty) Member (A) 9.5.2024 (sgj) </p> <p align="center">  (Mridula Bhatkar, J.) Chairperson 9.5.2024 </p>

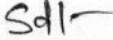
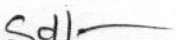
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 align="center"><u>O.A. No.555 of 2020</u></p> <p>D.N. Lokhare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale holding for Shri V.V. Ugale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time.</p> <p>3. S.O. to 18.6.2024.</p> <p align="center">  (Debashish Chakrabarty) Member (A) 9.5.2024 (sgj) </p> <p align="center">  (Mridula Bhatkar, J.) Chairperson 9.5.2024 </p>

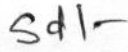
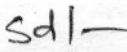
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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>O.A. No.278 of 2018</u></p> <p>R.B. Jaid ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Shri B.A. Bandiwadekar, Ld. Advocate for the applicant is absent.</p> <p>3. The applicant prays for setting aside the pending DE proceedings in the form of charge sheet dated 29.3.2016 issued by respondent no.1.</p> <p>4. Ld. PO relies on the affidavit in reply dated 25.10.2018 filed by Vinayak D. Churi, Under Secretary, Finance Department and states that two DEs were started against the applicant by charge sheet dated 29.3.2016 and both have come to an end by punishment orders dated 27.4.2018 and 3.5.2018 of censure. The applicant has filed appeals against these two orders before the Hon'ble Governor.</p> <p>5. Ld. PO submits that appeals were decided on 24.11.2022 and one appeal was allowed and in other appeal the order of censure was confirmed. The Applicant retired on 30.11.2022.</p> <p>6. In view of this now nothing remains as OA has become infructuous and the same is disposed off as such.</p> <p align="center">  (Debashish Chakrabarty) Member (A) 9.5.2024 (sgj) </p> <p align="center">  (Mridula Bhatkar, J.) Chairperson 9.5.2024 </p>

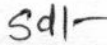
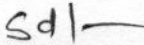
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 align="center"><u>O.A. No.354 of 2018</u></p> <p>R.B. Jaid ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Shri B.A. Bandiwadekar, Ld. Advocate for the applicant is absent.</p> <p>3. The applicant has prayed for directions to the respondents to consider his case for promotion to the post of Joint Commissioner of Sales Tax from the post of Dy. Commissioner of Sales Tax.</p> <p>4. Ld. PO submits that the applicant is promoted to the post of Joint Commissioner of State Tax on 17.11.2018.</p> <p>5. Thus, it appears that the grievance of the applicant is redressed and the OA has become infructuous. OA is disposed off as such accordingly.</p> <p align="center">  (Debashish Chakrabarty) Member (A) 9.5.2024 (sgj) </p> <p align="center">  (Mridula Bhatkar, J.) Chairperson 9.5.2024 </p>

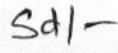
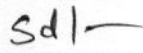
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.281 of 2018</u></p> <p>R.J. Pandharpur ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Savita Suryawanshi holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time.</p> <p>3. S.O. to 28.6.2024.</p> <p align="center">  (Debashish Chakrabarty) Member (A) 9.5.2024 (sgj) </p> <p align="center">  (Mridula Bhatkar, J.) Chairperson 9.5.2024 </p>

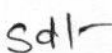
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.461 of 2018</u></p> <p>A.L. Dube ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere holding for Shri Ajay S. Deshpande, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In this OA the applicant prays for directions to the respondents to consider his candidature in the elementary process of pre IAS selection process at the State level for onward transmission to UPSC.</p> <p>3. Ld. Advocate for the applicant on instructions submits that applicant has stood retired one year back and the process of 2018 is already over.</p> <p>4. Thus the above OA has become infructuous and the same is disposed off as such accordingly.</p> <p align="center">  (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 9.5.2024 9.5.2024 (sgj) </p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.739 of 2018</u></p> <p>P.D. Yadav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant is absent.</p> <p>3. The applicant has filed this OA for grant of deemed date of promotion.</p> <p>4. Ld. Advocate for the applicant and Ld. PO are directed to make a statement whether the OA has become infructuous or still to go ahead.</p> <p>5. S.O. to 14.6.2024.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sd/-</i> (Debashish Chakrabarty) Member (A) 9.5.2024</p> </div> <div style="text-align: center;"> <p><i>Sd/-</i> (Mridula Bhatkar, J.) Chairperson 9.5.2024</p> </div> </div> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.05.2024</u></p> <p style="text-align: center;"><u>C.A 45/2024 in O.A 254/2022</u></p> <p>S.A Wahatule ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents. 2. Learned counsel submits that order dated 23.12.2023 is not complied with. 3. Learned P.O submits that this is the first date and hence seeks time. 4. We direct the Respondents to come with a positive reply regarding implementation of the order of this Tribunal dated 23.12.2023. 5. Issue notice before admission returnable on 27.6.2024. 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. 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 in 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 Applications shall stand dismissed." 9. S.O to 27.6.2024. <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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FARAD CONTINUATION SHEET NO.

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	<p><u>09.05.2024</u></p> <p><u>M.A 701/2023 in O.A 870/2021</u></p> <p>A.R Ishware & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. Heard Shri S.V Waghmare, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.2. Learned P.O seeks time to take instructions in the matter.3. Learned counsel submits that proposal is submitted to the Joint Director, Public Health Services, Pune.4. Joint Director, Public Health Services, Pune, is directed to inform why the order of this Tribunal is not complied with for reconstructing the service record of the applicants and why decision is not taken about regularization of the services of the applicants.5. S.O to 10.5.2024. <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>09.05.2024</u></p> <p><u>C.A 49/2024 in O.A 1115/2018</u></p> <p>M.S Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.2. Issue notice before admission returnable on 10.5.2024.3. 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.4. 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.5. 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.6. In case notice is not collected within seven days or service report on affidavit in 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 Applications shall stand dismissed."7. S.O to 10.5.2024. <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>09.05.2024</u></p> <p><u>O.A Nos 1368 & 1442/2023</u></p> <p>Dr B. Lad Dr J.A Bhalerao & Ors . . . Applicants Vs. The State of Maharashtra & Ors . . . Respondents</p> <p>1. Heard Shri Kaustubh Gidh holding for Shri S. Chinnappa, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit with liberty to file rejoinder if any.</p> <p>3. S.O to 13.6.2024. Interim relief to continue.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders 09.05.2024
	<p style="text-align: center;"><u>C.A 36/2024 in O.A 323/2021</u></p> <p>D.G Vasagadekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none">1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Archanan B.K, learned P.O for the Respondents.2. Learned P.O submits that proposal is sent to the Government and query is raised therein and therefore there is delay in compliance of the order of this Tribunal.3. Learned P.O seeks time.4. S.O to 20.6.2024. <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p><u>09.05.2024</u></p> <p><u>C.A 41/2024 in O.A 428/2021</u></p> <p>S.A Kamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that MPSC has recommended name of the applicant pursuant to the order of this Tribunal. However, the Respondent-State has submitted that they could not take action on the recommendation as no post of Assistant Commissioner, Drugs is vacant. Learned P.O submitted that as per roster the said post is not available in the said category of Scheduled Caste.</p> <p>3. Learned P.O seeks time to file affidavit in reply.</p> <p>4. We direct the Respondents to make statement whether any post in open category is available.</p> <p>5. S.O to 20.6.2024.</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>