

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.294 of 2021</p> <p>J.K. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Pleading is complete. 3. Adjourned for hearing at the stage of admission. 4. S.O. to 05.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.57 of 2021</p> <p>H.R. DevaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.R. Ghanavat, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted by way of last chance.</p> <p>3. S.O. to 30.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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>Date: 09.07.2021</p> <p>O.A. No.156 of 2021</p> <p>S.N. GhugeApplicant 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. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1 to 3. It is taken on record. 3. The Applicant has challenged suspension order dated 08.10.2020 <i>inter-alia</i> contending that he is subjected to prolong suspension. 4. Perusal of record as well as Reply filed by Respondent reveals that appointing authority had ordered for reinstatement of the Applicant and the matter was placed before Review Committee. However, the review committee in its meeting dated 13.01.2021 deferred subject awaiting progress report of I.O. in criminal case. It is further stated that the decision about the revocation will be taken in next meeting. 5. In view of above, it is necessary to know whether any meeting of review committee was held in this behalf and had decision taken therein, if any. 6. Leaned P.O. is therefore directed to take ^{instructions} decision and to appraise the Tribunal so that O.A. can be heard on merit if necessary. 7. Adjourned for hearing at the stage of admission 8. S.O. to 30.07.2021. <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.164 of 2021</p> <p>R.B. PingleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.2. It is taken on record. 3. Pleading in O.A. is complete. 4. Adjourned for Final Hearing on 06.08.2021. <p align="right">Sd/- w (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 09.07.2021</p> <p align="center">M.A.90 of 2021 in O.A. No.164 of 2021</p> <p>R.B. PingleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Since, Applicant is claiming continuous cause of action <i>inter-alia</i> contending that his pay has been wrongly fixed after his promotion, it amounts to recurring cause of action. He therefore prayed to condone the delay. There seems to be dispute of pay fixation in terms of Rule 11 (1) of M.C.S. (Pay) Rules. Whether the Applicant's pay was wrongly fixed resultantly causing continuous wrong to the Applicant has to be decided on merit. 3. Therefore, in view of above, it would be apposite to hear M.A. and O.A. together. 4. Adjourned for Final hearing on 06.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.851 OF 2019

Shri Ramesh D. Hirve.)...**Applicant**

Versus

1. The State of Maharashtra & Anr.)...**Respondents**

Mrs. Punam Mahajan, Advocate for Applicant.

Mrs. K.S. Gaikwad, Presenting Officer for Respondents.

CORAM : SHRI A.P. KURHEKAR, MEMBER-J

DATE : 09.07.2021

ORDER

1. Heard Mrs. Punam Mahajan, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. In the present O.A, the challenge is to the order dated 28.01.2019 whereby the period from 03.06.2009 to 30.06.2013 (suspension period) was ordered to be considered for pension purposes and simultaneously 90% pay and allowances were also granted for the said period.

3. The grievance of the Applicant is that suspension period should have been treated as duty period.

4. Indeed, it is strange that the Competent Authority has granted 90% pay and allowances for the suspension period without specifying anything further. Normally, the competent authority has to treat the period of suspension as a period of suspension as such or to treat it as a

duty period for all purposes. Here, there is nothing in the impugned order that suspension period was treated as suspension as such. On the contrary, the competent authority has increased pay and allowances for the said period.

5. Be that as it may, admittedly, the impugned order dated 28.01.2019 is appealable as contemplated under Rule 17(v)(e)(f) of Maharashtra Civil Services (Discipline & Appeal) Rules. However, instead of filing appeal, the Applicant has filed the present O.A, which is not permissible in law since Applicant is required to exhaust all other remedies available to him before filing O.A.

6. At this juncture, the learned Advocate for the Applicant requested for short time to take instructions from the Applicant about the remedy of appeal and then to proceed with the matter.

7. S.O. to 13th July, 2021.

Sd/-

(A.P. KURHEKAR)
Member-J

skw

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	<p>Date: 09.07.2021</p> <p align="center">O.A. No.200 of 2021</p> <p>S.R. Bagde & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.D. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing Affidavit-in-Reply, however on request of learned P.O. three weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 16.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 09.07.2021</p> <p align="center">O.A. No.100 of 2021</p> <p>Y.K. PotekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, 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 the Respondent No.5. It is taken on record.</p> <p>3. S.O. to. 16.07.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.07.2021</p> <p style="text-align: center;">O.A.No.936 of 2019</p> <p>A. B. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri C. T. Chandratre, learned Counsel for the Respondent No.4. 2. During the course of hearing, it was pointed out that presently the Applicant is holding additional charge for the post of Executive Engineer Integrated Unit, PWD, Mumbai. 3. Learned P.O. submits that there is possibility of giving full-fledged posting on the post of Executive Engineer Integrated Unit, PWD, Mumbai to the Applicant and in that event there may not be necessary to hear the matter on merit. 4. In present O.A., basically challenge is to the transfer order dated 07.09.2019 whereby the Applicant was transferred from Thane to the post of Assistant Chief Engineer, Public Works Regional Department, Kokan Division, Mumbai. As stated above, he has given additional charge of one another post at Mumbai. Therefore, if the Applicant is satisfied with the said posting if given full-fledged charge and posting then perhaps grievance of the Applicant may not survive. Whereas, on merit, if O.A. is allowed the Applicant will be reposted on his original post at Thane. 5. In view of above, learned P.O. sought one week time to take instructions from the department. 6. Learned Counsel for the Applicant is also directed to take instructions from the Applicant as to whether he will be satisfied with full-fledged charge of the post of which additional charge has given to him. 7. S.O. to 15.07.2021. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.454 of 2021</p> <p>L. Y. BhagaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. At the very outset, it pains to note that though the Applicant stands retired on attaining superannuation on 30.06.2017, he is not paid his legitimate retiral dues to which he entitled in law.</p> <p>3. Learned Counsel for the Applicant fairly states that at the time of retirement one D.E. was pending against the Applicant but Enquiry Officer having found that witnesses are not forthcoming despite best effort on his part. He returned enquiry back to the Disciplinary Authority and thereafter no further steps were taken.</p> <p>4. If it is so, it clearly shows total inaction on the part of Disciplinary Authority to take further steps and to complete the D.E. The Applicant is deprived of his legitimate retiral dues for more than four years due to sheer inaction on the part of Disciplinary Authority. Even Provisional Pension is not granted which shows utter callousness on the part of concerned.</p> <p>5. In view of above, this O.A. needs to be heard and decided expeditiously by giving suitable direction, if necessary, so that the Applicant can get his retiral benefits without further loss of time.</p> <p align="right">[P.T.O.]</p>

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	<p>6. Learned P.O. sought short time to take instructions and to apprise the Tribunal about the delay caused in the matter.</p> <p>7. In view of above, Respondent No.2 is directed to depute some responsible officer to remain present on the next date and to apprise the Tribunal as to why retiral benefits are withheld for such a long time and to know the status of D.E.</p> <p>8. Hamdast granted.</p> <p>9. Issue notice before admission returnable on 15.07.2021.</p> <p>10. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>11. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>12. 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>13. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>14. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>15. S.O. to 15.07.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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	<p>Date: 09.07.2021</p> <p align="center">O.A. No.199 of 2021</p> <p>Dr. S.B. BaralayApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.K. Nair, learned Sr. Counsel with Smt. Reshma Kurle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that he has already filed Affidavit-in-Rejoinder in the office yesterday and matter be kept for hearing.</p> <p>3. Since, pleading is complete, adjourned for Final Hearing.</p> <p>4. S.O. to 05.08.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.229 of 2021</p> <p>M.D. KarandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is fixed for filing Rejoinder but the same is not filed.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 10.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date: 09.07.2021</p> <p align="center">O.A. No.266 of 2021</p> <p>S.S. PaithankarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Reply by way of last chance.</p> <p>3. S.O. to 22.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.267 of 2021</p> <p>G.N. TateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents No.1 & 2 and Shri A.M. Misal, learned Advocate for the Respondent No.3.</p> <p>2. Today, learned Advocate for the Respondent No.3 has filed Affidavit-in-Reply on behalf of the Respondent No.3. It is taken on record.</p> <p>3. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply on behalf of Respondent No.1 & 2 by way of last chance.</p> <p>4. S.O. to 22.07.2021.</p> <p align="right">^ Sd/-</p> <p align="right">(A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.892 of 2017</p> <p>D.G. BasutkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Asawari Ghate, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. O.A. is filed for grant of retrial benefits considering temporary promotion given to the Applicant. He has relied on certain decision rendered by this Tribunal wherein considering temporary promotion directions were given to grant pension on the basis of last drawn pay.</p> <p>3. Learned P.O. submits that the decision rendered by this Tribunal is under challenge before the Hon'ble High Court wherein stay is granted. She therefore submits that his O.A. be taken up for hearing after decision on Writ Petition.</p> <p>4. The Applicant is getting pension as per his entitlement excluding promotional pay. Recovery is also stayed by interim order. Therefore it is necessary to wait for the decision of the Hon'ble High Court since, issue involved in the present O.A. is exactly similar.</p> <p>5. S.O. to 10.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN [P.T.O.]</p>

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	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.1026 of 2019</p> <p>S.K. ChandaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Learned Advocate Shri P.G. Kayande has sent his leave note. 3. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. 4. S.O. to 24.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.1189 of 2019</p> <p>D.J. AmbilwadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant Shri D.J. Ambilwade is conducting the matter in Person but he is absent. 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. Perusal of record reveals that this O.A. was <i>to be</i> taken up for hearing after decision of another O.A. No. 460/2019 in which initiation of D.E. is challenged. 4. O.A. No.460/2019 is not yet decided. 5. In view of above, adjourned for Final Hearing. 6. S.O. to 26.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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	<p>Date : 09.07.2021.</p> <p align="center">C.A.No.37 of 2020 in O.A.No.316 of 2019</p> <p>K.D. Binner & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mr. Gunratan Sadavarte, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate Mr. Sadavarte seeks four weeks time to take instructions whether the applicants want to approach Industrial Tribunal or simplicity want to withdraw this O.A. and file fresh O.A.</p> <p>3. Adjourned to 06.08.2021.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.07.2021.</p> <p>O.A.No.43 of 2020</p> <p>H.R. Das . . . Applicant Vs. The State of Maharashtra & Ors . . . Respondents</p> <p>1. Heard Party in person and Ms. N.G. Gohad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. The learned P.O. files affidavit-in-reply dated 25.03.2021 on behalf of Respondents No.4 to 5 through Mr. Ravindra M. Kadam, Police Inspector, office of Commissioner of Police, Pune City and through Respondent No.6, Mr. Prakash Krushnrao Pasalkar, Police Inspector, office of Commissioner of Police, Pune City. The same is taken on record. Copy is served to the Applicant.</p> <p>3. The party in person today informs that while sitting with my Brother Judge Mr. Dixit, I have expressed that he is more knowledgeable in respect of rules and procedure of the Police Department and I do not have much knowledge. Party in person further says that, I am not aware about the rules, procedure and manuals, and ^{my} Sister Judge Ms. Medha Gadgil is newly appointed. Therefore, as his matter is very complicated the same be transferred to other Bench.</p> <p>4. My Brother Judge Mr. Kurhekar is sitting Singly and this is the matter of Division Bench. Hence the matter is adjourned sine-die till other judges are appointed and available. The order is passed in the presence of the applicant. Matter kept in sine die.</p> <p>5. The Applicant is at liberty to mention the matter as and when new judges will be appointed.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

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	<p><u>09.07.2021</u></p> <p align="center"><u>M.A 355/2020 in O.A 794/2020</u></p> <p>Smt N.N Chavan & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.D Patil, learned counsel with Shri A.S Pawar, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicants seeks time to file affidavit in rejoinder.</p> <p>3. S.O to 23.7.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>09.07.2021</u></p> <p align="center"><u>M.A 335/2020 in O.A 762/2020</u></p> <p>Shri M.R Gaikwad ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned counsel for the applicant and Mrs Kranti S Gaikwad, learned P.O for the Respondents.</p> <p>2. Affidavit in reply has already been filed in the Misc Application seeks condonation of delay of 5 years.</p> <p>3. Learned counsel for the applicant seeks time to file rejoinder.</p> <p>4. S.O to 23.7.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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09.07.2021

M.A 162/2020 in O.A 258/2020

Ms C.A Rane ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned P.O submits that reply is under typing and will be filed before the next date.

3. S.O to 15.7.2021.

Sd/-

Sd/-

(P.N Dixit)
Vice-Chairman (A)

(Mridula Bhatkar, J.)
Chairperson

Akn

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09.07.2021

C.A 25/2021 in O.A 728/2020

Shri N.K Dalvi ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. At the request of learned P.O, adjourned to 16.7.2021.

Sd/-

Sd/-

(P.N Dixit)
Vice-Chairman (A)

(Mridula Bhatkar, J.)
Chairperson

Akn

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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09.07.2021

O.A 414/2021

Dr Nia Sara Padmapani ... Applicant
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.D Ghugale, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned counsel for the applicant states that applicant is working as Medical Officer. The applicant seeks direction from this Tribunal that the condition/para no. 8 in G.R dated 19.3.2019 is illegal, ultra virus and bad in law. The applicant has made a representation against the same on 20.1.2021 & 21.1.2021. We direct the Respondents to decide her representation within a period of two months and communicate the same to the applicant.

3. Issue notice made returnable on 5.8.2021.

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case 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. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

7. Learned P.O is directed to file affidavit in reply.

8. S.O to 5.8.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

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09.07.2021

M.A 188/2021 in O.A 145/2021

Shri N.P. Chaudhari & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.

2. Today during hearing, a query was made to the learned counsel for the applicant as to whether the applicants are yet to be promoted as per their prayer.

3. Learned counsel on instructions informs that since the applicants have passed the prescribed test of Hindi language, the applicants have been promoted by order dated 23.6.2021.

4. In view of the above, M.A stands disposed of.

Sd/-

(P.N^lDixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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09.07.2021

O.A 145/2021

Shri N.P. Chaudhari & Ors ... Applicants
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.

2. S.O to 7.9.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

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

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09.07.2021

C.A 8/2021 in O.A 848/2018

R.S Salunkhe & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.A Gharte, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.

2. Learned P.O seeks time to file affidavit in reply.

3. S.O to 23.7.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<u>09.07.2021</u>
	<u>O.A 464/;2021</u>
	<p>Shri Vijay Y. Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere with Shri M.B Kadam, learned advocate for the applicant and Ms Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned Counsel for the applicant submits that applicant was working as Agriculture Assistant and subsequently promoted to the post of Agriculture Supervisor. In view of the departmental enquiry against the applicant and others, he was issued the punishment of warning.</p> <p>3. Learned counsel for the applicant prays that the Respondents be directed to consider his case for promotion to the post of Agriculture Officer, if found fit.</p> <p>4. Learned P.O is directed to file affidavit in reply before the next date and state as to why the name of the applicant is not included in the select list dated 26.6.2021.</p> <p>5. Issue notice made returnable on 23.7.2021.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>9. S.O to 23.7.2021.</p>
	Sd/-
	Sd/-
	<p>(P.N Dixit) Vice-Chairman (A)</p>
	<p>(Mridula Bhatkar, J.) Chairperson</p>
	[P.T.O.]

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	<p align="center"><u>M.A. No.242 of 2021 in O.A. No.403 of 2021</u></p> <p>Urmila J. Khot & 3 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Sandeep Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants has filed this MA for adding persons mentioned in Schedule-I to the MA as Party Applicants No.5 to 10 in the cause title of the above OA. Ld. Advocate also prays for amending the prayer clause.</p> <p>3. Ld. PO submits to the order of the Tribunal.</p> <p>4. MA is allowed. Ld. Advocate for the applicants is permitted to carry out the amendment for adding Applicants No.5 to 10 as per Schedule-I annexed to the MA and also in the prayer clause. Ld. Advocate for the applicants is directed to carry out the amendment forthwith and serve on all concerned.</p> <p align="center">Sd/- (P.M. Dixit) Vice-Chairman 9.7.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 9.7.2021</p>

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	<p align="center"><u>M.A. No.243 of 2021 in O.A. No.403 of 2021</u></p> <p>Urmila J. Khot & 3 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Sandeep Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits that added Applicants No.5-Hanumant Ambadas Ingale and No.6-Ramesh Shahadev Dubale are from Aurangabad. However, other applicants are from Principal Bench and the same issue is involved. Ld. Advocate therefore prays that applicants no.5 & 6 may be allowed to prosecute at Principal Bench, Mumbai.</p> <p>3. Ld. PO submits to the orders of the Court.</p> <p>4. MA is allowed and applicants no.5 & 6 are allowed to prosecute in Principal Bench at Mumbai.</p> <p align="center">Sd/- _____ Sd/- _____ (P.N. Dixit) / (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 9.7.2021 9.7.2021</p> <p>(sgj)</p>

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	<p align="center"><u>M.A. No.100 of 2021 in O.A. No.759 of 2020</u></p> <p>M.K. Satpute ..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. Ld. Advocate for the applicant has filed this MA No.100 of 2021 for recalling the order dated 16.2.2021 passed in the above OA No.759 of 2020. According to the Ld. Advocate, the applicant has been promoted by order dated 5.2.2021 only for a period of eleven months instead he should have been promoted in the regular manner. Ld. Advocate for the applicant is directed to submit the following documents:</p> <p>(i) Seniority list. (ii) The DPC held, if any, and minutes of the same. (iii) The orders of promotion. (iv) The impugned order of rejection or omission of the applicant. (v) In case applicant is claiming similarity to person who was junior to the applicant, then promotion order regarding the same.</p> <p>3. Ld. PO is directed to file reply within three weeks.</p> <p>4. S.O. to 3.8.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N. Dixit) / (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 9.7.2021 9.7.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.234 of 2019 with O.A. No.88 of 2020</u></p> <p>Dr. V.R. Bhailume ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The pleadings are complete.</p> <p>3. Admit.</p> <p>4. S.O. to 7.10.2021 for final hearing.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 9.7.2021 9.7.2021</p> <p>(sgj)</p>

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	<p>Date : 09.07.2021.</p> <p align="center">O.A.No.806 of 2014</p> <p>S.D. Borkar & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Applicants in person and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicants tender praecipe dated 07.07.2021 seeking permission to engage the Counsel of their choice.</p> <p>3. Adjourned to 13.08.2021.</p> <p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.07.2021.</p> <p>O.A.No.355 of 2021</p> <p>S.S. Bhoir. ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. We will hear this matter finally as the applicant is retiring on 31.07.2021. Her application for voluntary retirement scheme (VRS) was made on 30.08.2017 and according to learned P.O. the same was rejected on 08.12.2017.</p> <p>3. Hence we direct,</p> <p>(a) The State to produce a specific order of rejection of VRS application if any, by the State.</p> <p>(b) The communication of the order.</p> <p>(c) Both the learned Counsel are directed to produce the law especially on the point, "under what circumstances the application for VRS in Rules 65 and 66 of the Maharashtra Civil Service (Pension) Rules, 1982 can be rejected."</p> <p>(d) The learned Advocate undertakes to produce the duplicate service book or original service book, if at all with the applicant or any other relevant record, will produce the same to the concerned office on 12.07.2021.</p> <p>(e) Reply to be filed on 15.07.2021 and be served to the learned Advocate as the matter is fixed on 20.07.2021.</p> <p>(f) Specify under what category the case of the applicant falls to substantiate her rejection.</p> <p>4. Adjourned to 20.07.2021 for final hearing at 2.30 p.m.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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09.07.2021

O.A 236 & 237/2021

Shri K. Suryakrishnamurty
Shri A.N Padwal ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Akhilesh Dubey a/w Raguram Kuleriya i/b Troy Legal, learned advocate for the applicants in O.A 236/2021, Shri Atul Rajadhyaksha Senior Counsel a/w Shri Vagish Mishra, Uttam Dubey i/b Law Counsellors, learned advocate for the applicants in O.A 237/2021, Shri R.S Apte learned Senior Counsel with Ms Swati Manchekar, learned C.P.O for the Respondents, Shri Prasad Dhakephalkar a/w Shri B.S Shinde, learned advocate for Respondents no 4, 6 & 7 in O.A 236/2021, Shri Atul Dhamale, learned Senior Counsel i/b Shri B.S Shinde, learned advocate for Respondents no. 5 to 10 in O.A 237/2021 and Mrs Punam Mahajan, learned advocate for Respondent no. 11 in O.A 237/2021.

2. Learned P.O files copy of affidavit in reply on behalf of Respondent no. 1, filed by Shri M.V Veer, Joint Secretary, Revenue & Forest Department, Mantralaya, Mumbai. Copy of the same is given to the learned counsel for the applicants as well as the private Respondents.

3. Mr Rajadyakshya, learned Senior Counsel for the applicants submits that he seeks adjournment till 13.7.2021 with liberty to file rejoinder. In case he considers it necessary to file rejoinder, he will submit copy of the same to the learned P.O by 12.7.2021 and also the private Respondents by email.

4. S.O to 13.7.2021 at 11.00 am.

Sd/-

(P.M.Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<p align="center"><u>O.A. No.70 of 2021</u></p> <p>S.M. Malvadkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 3 and Shri D.B. Khaire, learned Advocate for Respondents No.4, 5 & 7.</p> <p>2. As the pleadings are completed the OA is admitted.</p> <p>3. S.O. to 2.9.2021 for final hearing.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 9.7.2021 9.7.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.69 of 2021</u></p> <p>P.R. Arolkar & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed on 11.6.2021 on behalf of respondents no.1 & 2.</p> <p>3. Admit.</p> <p>4. Place the above matter for final hearing on 16.9.2021 with liberty to file affidavit in rejoinder, if any.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 9.7.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 9.7.2021</p>

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	<p align="center"><u>O.As. No.37 of 2021 with O.A. No.231 of 2021</u></p> <p>T.B. Naik ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A., Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO mentions that reply is already filed in OA No.37 of 2021.</p> <p>3. Ld. PO seeks time to file reply in OA No.231 of 2021.</p> <p>4. S.O. to 6.8.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 9.7.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 9.7.2021</p>

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	<p align="center"><u>O.A. No.24 of 2020</u></p> <p>A.B. Ghadge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files affidavit in rejoinder dated 19.5.2021 and the same is taken on record.</p> <p>3. Admit.</p> <p>4. S.O. to 30.8.2021 for final hearing.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p>(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 9.7.2021 9.7.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.980 of 2019</u></p> <p>S.D. Shelke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 & 2 and Shri B.A. Bandiwadekar, learned Advocate for Respondent No.3.</p> <p>2. As the pleadings are completed the matter is admitted.</p> <p>3. S.O. to 30.8.2021 for final hearing.</p> <p align="center">Sd/- _____ Sd/- _____ (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 9.7.2021 9.7.2021</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>09.07.2021</u></p> <p style="text-align: center;"><u>C.A 129/2015 in O.A 142, 143 & 144/2015</u></p> <p>Shri S.S Deshpande ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Anand Deshpande, learned advocate for the applicant and Mrs Kranti S. Gaikwad, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant sought compliance of the order of this Tribunal dated 17.8.2015 in O.A Nos 142 & 143/2015.</p> <p>3. Learned P.O produces a G.R dated 5.1.2016, in which the dues claimed by the applicant have been sanctioned.</p> <p>4. Learned counsel for the applicant produces G.R dated 3.12.2016, wherein the applicant has been granted higher pay scale w.e.f 8.12.1993. Learned counsel for the applicant states that this compliance is not as per the spirit of the orders of this Tribunal dated 17.8.2015.</p> <p>5. We do not agree with the same and we find there is nothing pending for compliance in respect of O.A 142 & 143/2015.</p> <p>6. Therefore, the Contempt Application in respect of O.A 142 & 143/2015 are disposed of.</p> <p>7. Thus the contempt application is pending compliance of the order dated 17.8.2015 in O.A 144/2015.</p> <p>8. The applicant retired on superannuation on 31.11.2012. Against the order of this Tribunal dated 17.8.2015, the Respondents filed Writ Petition before the Hon'ble Bombay High Court, which came to be dismissed on 16.10.2018.</p> <p>9. Learned P.O on instructions submits that following the orders of the Hon'ble Bombay High Court, the dues to be paid to the applicant till the year 2016 are to be worked out. However, no efforts have been made in this regard as S.L.P has been filed against the said order of the Hon'ble Bombay High Court before the Hon'ble Supreme Court on 3.3.2021.</p> <p>10. On query, learned P.O submits that no stay has been granted by the Hon'ble Supreme Court to the order of the Hon'ble Bombay High Court.</p>

Office Notes, Office Memoranda of Coram,
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11. The Respondents are therefore directed to ensure compliance of the orders of the Tribunal as maintained by the Hon'ble Bombay High Court.
12. Learned P.O seeks two weeks' time for reporting progress in the matter.
13. S.O to 20.7.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Aku

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

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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.568/2020</u></p> <p>Shri S.V. Pawar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Heard Mrs. Punam Mahajan, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned P.O. for Respondents.2. Matter is heard partly.3. On the request of learned P.O, adjourned to 13.07.2021 for production of recommendation of PEB and approval of Competent Authority.4. S.O. to 13.07.2021. <p style="text-align: right;">N Sd/- (A.P. Kurhekar) Member-J 09.07.2021</p> <p>(skw)</p>

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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.252 of 2016</p> <p>S. L. Haridas & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of record reveals that this O.A. was on sine-die list and for the first time, it is listed for final hearing.</p> <p>3. In view of above, the matter is adjourned to give one opportunity to the Applicant and his Counsel for hearing.</p> <p>4. S.O. to 30.07.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.357 of 2016</p> <p>C. A. GhodkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of record reveals that this O.A. was on sine-die list and for the first time, it is listed for final hearing.</p> <p>3. In view of above, the matter is adjourned to give one opportunity to the Applicant and his Counsel for hearing.</p> <p>4. S.O. to 30.07.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar)</p> <p align="center">Member (A) Member(J)</p> <p>vsm</p>


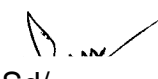
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.07.2021</p> <p style="text-align: center;">O.A.No.574 of 2016</p> <p>P. A. PagareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. On request of learned Counsel for the Applicant, the matter is shortly adjourned for final hearing. 3. S.O. to 20.07.2021. <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- </p> <p>(Medha Gadgil) Member (A)</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(A.P. Kurhekar) Member(J)</p> </div> </div> <p style="margin-top: 20px;">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.327 of 2016</p> <p>M. M. Kathe & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, two weeks time is granted for collecting information about the Respondents who proposed to be joined and to file Misc. Application for amendment.</p> <p>3. S.O. to 22.07.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date : 09.07.2021</p> <p align="center">O.A.No.861 of 2016</p> <p>D. T. KarcheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Asawari Ghate holding for Smt. Punam Mahajan, learned Counsel for the Applicant, Ms N. G. Gohad, learned Presenting Officer for the Respondent Nos.1 and 2 and Shri S. S. Dere, learned Counsel for Respondent Nos.3 and 4.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>3. S.O. to 06.08.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar)</p> <p align="center">Member (A) Member(J)</p> <p>vsm</p>

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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.382 of 2016</p> <p>Shaikh A. A.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, short time is granted for final hearing.</p> <p>3. S.O. to 13.07.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.701 of 2016</p> <p>D. R. DigholeApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. This matter was heard day before yesterday and today it was for hearing of learned P.O. However, today learned Counsel for the Applicant submits that the Applicant is entitled to protection of Section 47 of Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 since the Applicant was suffering from chronic mental depression.</p> <p>3. Indeed, there is no such pleading in O.A. about applicability of 'Act 1995'. Indeed, 'Act 1995' is replaced by another Act of 2016.</p> <p>4. However, in the interest of justice and to decide the matter appropriately, we think it appropriate to give the Applicant an opportunity to amend the O.A. suitably to find out whether he is entitled to the benefit of the provisions of 'Act 1995' or 'Act 2016.</p> <p>5. One week time is granted to take necessary steps.</p> <p>6. The matter be treated as De-Part Heard.</p> <p>7. S.O. to 16.07.2021 as De -Part Heard</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J) [P.T.O.]</p>

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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.1120 of 2018 With M.A. No.139 of 2021</p> <p>S. N. SalveApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere with Shri M. B. Kadam, learned Counsels for the Applicant and Ms N. G. Gohad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents 1 to 3 and Shri G. A. Bandiwadekar, learned Counsel for the Respondent No.4.</p> <p>2. Today, learned Counsel for the Applicant has pointed out subsequent development which had taken place during the pendency of this O.A. He has pointed out that Respondent No.4 has been dismissed from service by order dated 26.04.2021 and thereafter Respondent No.4 had filed O.A.No.320/2021 challenging dismissal order dated 26.04.2021 but has withdrawn the said O.A. on 01.07.2021. He wants to place on record the dismissal order dated 26.04.2021 as well as the order passed by the Tribunal on 01.07.2021 in O.A.No.320/2021.</p> <p>3. He further submits that since the Respondent No.4 is already dismissed from service, prayer clause 10(a) and (c) has become infructuous and it be deleted.</p> <p>4. He is allowed to delete the relief claimed in prayer clause 10(a) and (c) necessary endorsement be made in O.A. during the course of the day.</p> <p>4. Shortly adjourned for placing on record the dismissal order dated 26.04.2021 and the order passed by the Tribunal in O.A.No.320/2021.</p> <p>5. S.O. to 15.07.2021. P.T.O.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) Vr Member (A) (A.P. Kurhekar) Member (A) Member(J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.07.2021</p> <p style="text-align: center;">O.A.No.424 of 2021</p> <p>P. P. Kashid ...Applicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri U. S. Iyer, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The challenge is to the impugned communication dated 29.09.2020 whereby the claim of the Applicant for appointment on compassionate ground is rejected in view of G.R. dated 28.03.2001. 3. Issue notice before admission returnable on 06.08.2021 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 9. S.O. to 06.08.2021. <p style="text-align: right;"> Sd/- ✓ (A.P. Kurhekar) Member(J) </p>

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	<p>Date: 09.07.2021</p> <p align="center">R.A. No.07 of 2021 in O.A. No.1125 of 2019</p> <p>The State of Maharashtra & Ors. (Org. Resp.).Applicant Versus S.V. Lolge (Org. Appl.)..Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Archana B.K., learned Presenting Officer for the Applicants (Org. Respondents) and Shri R.M. Kolge, learned Advocate for the Respondent (Org. Applicant) is absent. 2. Today learned Advocate for the Applicant has filed Affidavit-in-Reply on behalf of the Applicant. It is taken on record. 3. R.A. is adjourned for Hearing. 4. S.O. to 30.07.2021. <p align="right">Sd/- WV (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 09.07.2021</p> <p>R.A. No.04 of 2021 in O.A. No.323 of 2019 with R.A. No.05 of 2021 in O.A. No.321 of 2019 with R.A. No.06 of 2021 in O.A. No.322 of 2019 with</p> <p>A.T. Rajam S.A. Koyande M.Y. RaoraneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Reply as last chance.</p> <p>3. S.O. to 23.07.2021.</p> <p align="right">Sd/- Ww (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 09.07.2021</p> <p>O.A. No.95 of 2021</p> <p>G.N. DongarkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted as last chance for filing Reply with specific direction that no further time will be granted.</p> <p>3. S.O. to 22.07.2021.</p> <p style="text-align: right;">^ Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

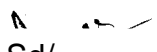
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	<p>Date: 09.07.2021</p> <p align="center">O.A. No.802 of 2020</p> <p>P.S. PandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today O.A. is for filing Rejoinder but the same is not filed. 3. Pleading is complete. 4. Adjourned for Final Hearing on 06.08.2021. <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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

Tribunal's orders

Date : 09.07.2021

O.A.No.451 of 2021

S. S. Raut

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. The Applicant is presently working as Police Inspector at Jail Road Police Station, Solapur City. Prior to it, he worked in Gadchiroli and thereafter by order dated 29.05.2019, he was transferred to Solapur City. He accordingly joined at Solapur City and thereafter made representation on 30.05.2019 for cancellation of his transfer and requested to post him in Solapur (Rural).
3. All that the Applicant is claiming is choice posting on the basis of G.R. dated 06.08.2002 which inter-alia provides for giving choice posting to a Government servant who has served in Naxalite area. The Applicant has given option of Solapur (Rural) he is posted at Solapur city. Accordingly, he joined in Solapur city without challenging his transfer order within period of limitation. Now, this O.A. is filed on 06.07.2021 simply for direction to Respondent to consider his representation filed on 30.05.2019.
4. Thus, indeed there is no challenge to the transfer of the Applicant in Solapur city. Apart he has filed O.A. after the period of expiration of limitation of one year from the date of cause of action.
5. Thus, O.A. itself is barred by limitation. Hence, O.A. is dismissed with no order as to costs.
6. However, the Respondent is at liberty to consider the representation of the Applicant on its own merit as it deems fit.

Sd/-

(A.P. Kurhekar)
Member(J)

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	<p align="center">Date: 09.07.2021</p> <p align="center">O.A. No.98 of 2021</p> <p>R.C. SonawaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Asawari Ghate, learned Advocate holding for Smt. Punam Mahajan, 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 Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 06.08.2021.</p> <p align="right"> [^] Sd/- ^w (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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	<p>Date : 09.07.2021</p> <p align="center">O.A.No.449 of 2021</p> <p>P. R. Khedekar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Bhushan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired on 30.11.2019 and sum of retiral benefits were released. Regular Pension was initially granted but thereafter it was not paid. Hence, the Applicant has filed O.A. for direction to release his remaining retiral dues with interest.</p> <p>3. It appears that there was no D.E. or Criminal Case pending against the Applicant at the time of retirement and therefore there seems to be no reason to withhold the retiral benefits partly. However, it appears that one show cause notice was issued to the Applicant before his retirement alleging certain irregularities in Kharbhumi Yojana.</p> <p>4. In view of above, it is necessary to know why retiral benefits were not fully paid.</p> <p>5. Issue notice before admission returnable on 29.07.2021</p> <p>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>11. S.O. to 29.07.2021.</p> <p>12. Respondent No.2 is further directed to deputy some reasonable ^{responsible} office to remain present in the Tribunal with record to apprise the Tribunal as to why retiral benefits were not fully paid.</p> <p>13. Hamdast granted.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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.328 of 2021</u></p> <p>P.A. Bodekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that para wise remarks are received and she seeks two weeks time to file reply.</p> <p>3. S.O. to 23.7.2021.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 9.7.2021</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.318 of 2021</u></p> <p>C.J. Yemal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.B. Dhage, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 23.7.2021. Ld. PO states that she will take instructions and inform accordingly to this Tribunal on the next date.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 9.7.2021</p> <p>(sgj)</p>