

**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.1178 of 2024</u></p> <p>R.M. Edlawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant states that the applicant who was working as Drug Inspector is terminated by order dated 10.9.2024. By way of interim relief he prays for staying the impugned termination order.</p> <p>3. Ld. Advocate for the applicant relies on the order dated 30.9.2024 passed by the Hon'ble High Court in W.P. No.13501 of 2024 Pravin Haridas Raut Vs. State of Maharashtra & Ors. whereby in similar set of facts the Hon'ble High Court has granted ad-interim relief.</p> <p>4. In the said W.P. No.13501 of 2024, the Petitioner Shri Pravin Haridas Raut has challenged the order dated 20.9.2024 passed by this Tribunal in OA No.1193 of 2024. In said OA No.1193/2024 the applicant has challenged the orders dated 10.9.2024 and 12.9.2024 by which his services on the post of Drugs Inspector, Group 'B' at the Drugs Department were sought to be terminated.</p> <p>5. As the applicant is similarly situated like Petitioner in W.P. No.13501/2024 Pravin H. Raut, interim protection is given by issuing order of status quo ante until final disposal of the OA.</p> <p>6. S.O. to 13.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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 _____

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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.1193 of 2024</u></p> <p>P.H. Raut ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Ms. Neha Bhide with Shri Piyush Pande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant tenders a copy of order dated 30.9.2024 passed by the Hon'ble High Court in W.P. No.13501 of 2024 Pravin Haridas Raut Vs. State of Maharashtra & Ors. whereby the Hon'ble High Court has granted ad-interim relief.</p> <p>3. S.O. to 13.11.2024.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 9.10.2024 9.10.2024 (sgj)</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>M.A. No.529 of 2024 in O.A. No.870 of 2022</u></p> <p>Dr. A.S. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri S.R. Deshpande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. This MA is moved for early hearing of the OA. We have to complete the part heard matters which we have opened and matters which are urgent. Similarly at this stage we are dealing with matters of the year 2017, which we need to finish. Along with that every day we deal with the urgent matters and the contempt matters. Under such circumstances, it is not possible to take the above matter and the Court is functioning with one Division Bench for last one year. For want of time is not possible to entertain this MA at this stage. We will clear our part heard matters till 15.11.2024 and then we will consider these matters.</p> <p>3. In view of the above, the MA is rejected.</p> <p>4. Ld. PO files su-rejoinder in OA.</p> <p>5. OA is adjourned to 19.11.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.1256 of 2024</u></p> <p>S.N. Ovhal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri Vijay Nirbhavane, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</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 13.11.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.1265 of 2024</u></p> <p>D.M. Sutar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Ms. Mohini A. Rephale h/f Shri A.A. Desai, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents are present.</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 13.11.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.1276 of 2024</u></p> <p>K.M. Ubhe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri R.P. Hake Patil, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents are present.</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 13.11.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.1283 of 2024</u></p> <p>S.M. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</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 25.10.2024. Ld. Advocate refers to following judgments (i) AIR 1999 SC 2407 Bank of India & Anr. Vs. Degala Suryanarayana, (ii) AIR 2013 SC 1661 Union of India Vs. Anil Kumar Sarkar, (iii) OA No.1052/2022 decided by Nagpur Bench of this Tribunal on 27.8.2024 Mahadeo U. Bharsakale Vs. The State of Maharashtra & Ors., & (iv) GR dated 15.12.2017 of GAD, which are annexed to the OA. The respondents are directed to consider the above judgments while filing reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.1292 of 2024</u></p> <p>K.R. Raut ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</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 23.10.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.

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	<p align="center"><u>O.A. No.1235 of 2024</u></p> <p>C.S. Akhade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, Ld. PO h/f Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO seeks three weeks' time to file reply.</p> <p>3. S.O. to 25.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.1233 of 2024</u></p> <p>S.L. Avatade & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri A.S. Gaikwad, learned Advocate for the Applicants and Smt. K.S. Gaikwad, Ld. PO h/f Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant seeks leave to add Finance Department as party respondent in the above OA.</p> <p>3. Leave granted. Amendment be carried out forthwith and amended copy be served on all respondents.</p> <p>4. Ld. Advocate for the applicant seeks leave to delete the name of Applicant No.2-Bharat Dnyaneshwar Nagre from the title of the OA as he has filed separate OA No.1294/2024 in this Tribunal and which is on board today.</p> <p>5. Leave granted. The name of applicant no.2 be deleted from the title of the OA and amended copy be served on all respondents.</p> <p>6. <u>MPSC not to publish the result for the post of PSI.</u></p> <p>7. S.O. to 16.10.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 9.10.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 9.10.2024</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.

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	<p align="center"><u>O.A. No.1294 of 2024</u></p> <p>B.D. Nagre ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri Ashish Gaikwad, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant states that this matter is similar to OA No.1233 of 2024. He states that MPSC has declared waiting list for the post of PSI for the selection process of 2021.</p> <p>3. Ld. Advocate for the applicant seeks leave to add Finance Department as party respondent in the above OA.</p> <p>4. Leave granted. Amendment be carried out forthwith and amended copy be served on all respondents.</p> <p>5. <u>MPSC not to publish the result for the post of PSI.</u></p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 16.10.2024. The respondents are directed to file reply.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>9. 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>

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

Tribunal's orders

10. 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.

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

Sd/-
(Debashish Chakrabarty)
Member (A)
9.10.2024

Sd/-
(Mridula Bhatkar, J.)
Chairperson
9.10.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 09.10.2024 O.A.No.1296/2024</p> <p>A.S. DangeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Applicant is working as Police Inspector, Byculla Police Station by order dated 04.10.2024 is transferred to Nagpur.</p> <p>3. Learned Counsel has submitted that by order dated 05.07.2020 the applicant was relieved from Gamdevi and was attached to South Control Room. Applicant was earlier on non-executive post and therefore he was not considered for transfer in Lok Sabha Elections as he has not completed the period to two years in view that he was transferred to Byculla Police Station in June, 2023.</p> <p>4. Learned Counsel has submitted that the proposal of 133 Police Inspectors, who were covered by the Election Commissions guidelines dated 31.07.2024, was sent by the C.P., out of which 22 Officers has been exempted on the ground that they were working on non-executive post in last four years. Applicant was asked to give options for preferential posts and the same was given by him, but none of those options were considered.</p> <p>5. Learned P.O. has submitted that the G.R. dated 09.04.2018 wherein preferential options are called is not applicable to the Police Department.</p> <p>6. This Tribunal holds view that all the conditions and directions given in Clauses 1 to 11 by the Election Commission guidelines dated 31.07.2024 are to be followed scrupulously. The stand taken by the Government, to follow a particular Clause and violate other Clause is not allowed.</p> <p>7. Under such circumstances, the applicant, if at all relieved yesterday or today, is directed to continue working on the concern post considering the law and order of Mumbai City.</p> <p>8. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p>

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

Tribunal's orders

9. Issue notice before admission returnable on 11.10.2024.

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

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

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

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

14. Adjourned to 11.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 09.10.2024.

O.A.No.56 of 2022

V. S. VanjariApplicant

Versus

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

1. The Applicant and his Advocate are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.
2. Learned P.O. sought short adjournment on the ground that the matter is being handled by Ms S. P. Manchekar, learned C.P.O. but today she is unable to remain present due to some personal difficulty.
3. Parties to argue the matter positively on next date since it is filed in January, 2022.

Sd/-

(A. N. Karmarkar)
Member (J)

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 : 09.10.2024</p> <p>O.A.No.511 of 2024</p> <p>R. B. Bhill & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that he has sent letter to the office of 'Superintendent of Police, Nandurbar' but not received any further information.</p> <p>3. Already 'Interim Relief' is in favour of Applicant.</p> <p>4. Learned PO to seek information as per order dated 23.04.2024 and simultaneously shall proceed to file reply so that matter can be proceeded further.</p> <p>5. S.O. to 16.10.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 09.10.2024

O.A.No.770 of 2024 with O.A.847 of 2024 with
O.A.No.848 of 2024

A. R. Nikalje & Ors.
C. M. Fegade
S. M. BhandareApplicants

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicants, Shri D. R. Patil & Shri A. D. Gugale, learned Presenting Officers for the Respondents.

2. Learned Advocate for Applicants has insisted for hearing and order on 'Interim Relief' on the ground that during pay fixation order (Page 212 of OA), it is mentioned that excess amount can be recovered.

3. Learned PO submits that in such matter invariably 'Undertaking' is obtained by the concerned employee and they will have to ascertain the said fact. Learned PO further submits that till today no order of recovery is passed.

4. The Affidavit in Reply is not filed by the Respondents. Rather than to grant 'Interim Relief' in absence of reply, it will be proper to direct the Respondents to file their reply so that hearing on 'Interim Relief' can be taken. Respondents to file reply positively on next date.

5. S.O. to 21.10.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

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: 09.10.2024</p> <p>O.A. No.1367 of 2023</p> <p>V.B. AcharekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Learned P.O. submits that instructions are received but some more information is sought from the Department. Matter is filed in Oct 2023. Time is granted as last chance.</p> <p>3. S.O. 29.10.2024.</p> <p style="text-align: right;">Sd/- (A.N. Karmarkar) Member (J)</p> <p>NMN</p> <p><u>LATER ON</u></p> <p>4. Shri S.B. Shetye, learned Advocate for the Applicant is present.</p> <p style="text-align: right;">Sd/- (A.N. Karmarkar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 09.10.2024
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O.A. No.200 of 2024

S.M. GophaneApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Shri A.D. Gugale, learned Presenting Officer for the Respondents is present.
2. Learned P.O. states that he has filed Affidavit-in-Reply on behalf of Respondent No.1 and seeks time to file Affidavit-in-Reply on behalf of remaining Respondents.
3. Learned Advocate for Applicant has not filed Affidavit-in-Rejoinder to the Affidavit-in-Reply filed by Respondent No.1.
4. S.O. 29.10.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

NMN

LATER ON

4. Smt. M.E. Puralkar, learned Advocate for the Applicant is present.

Sd/-

(A.N. Karmarkar)
Member (J)

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: 09.10.2024</p> <p>O.A. No.611 of 2024</p> <p>T.M.A. KhanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'Two Weeks' time to file Affidavit-in-Reply on behalf of Respondent. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. 24.10.2024.</p> <p style="text-align: right;">Sd/- (A.N. Karmarkar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 09.10.2024

M.A. No.535 of 2024 in O.A. No.631 of 2018

R.M. Pandhare & Ors.Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. At the request of learned Advocate for Applicants, the matter is adjourned to 16.10.2024.
3. S.O. 16.10.2024.

^
Sd/-

(A.N. Karmarkar)
Member (J)

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
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Date: 09.10.2024

M.A. No.445 of 2024 in O.A. No.888 of 2024

**K.B. PandaApplicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Learned P.O. seeks 'Two Weeks' time to file 'Affidavit-in-Reply'. Time as prayed for is granted to learned P.O.
3. S.O. 25.10.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

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
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Date: 09.10.2024

M.A. No.458 of 2024 in O.A. No.893 of 2024

S. KhalateApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.

2. Learned P.O. seeks time to file 'Affidavit-in-Reply'. Learned P.O. to see that Reply is filed positively on next date since the matter is filed in June 2024.

3. S.O. 28.10.2024.

Sd/-

**(A.N. Karmarkar)
Member (J)**

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
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Date: 09.10.2024

M.A. No.534 of 2024 in O.A. No.1088 of 2024

**S.V. PolApplicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents.
2. Learned P.O. seeks time to file 'Affidavit-in-Reply'. Time as prayed for is granted to learned P.O.
3. S.O. 24.10.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

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

Date: 09.10.2024

O.A. No.826 of 2023

E. Shivaperumal

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. None for the Applicant. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.

2. Learned Advocate for Applicant has not filed 'Affidavit-in-Rejoinder'.

3. O.A. No.826 of 2023 is admitted and kept for Final Hearing with liberty to file 'Affidavit-in-Rejoinder' if any.

4. S.O. 14.11.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

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: 09.10.2024</p> <p>O.A. No.1354 of 2023</p> <p>A.M. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri N.W. Sawant, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'One Week' time to file 'Affidavit-in-Reply'. Time as prayed for is granted to learned P.O. by way of last chance.</p> <p>3. S.O. 16.10.2024.</p> <p style="text-align: right;">Sd/- (A.N. Karmarkar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders

Date: 09.10.2024

O.A. No.230 of 2024

Y.K. Bangar

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Shri G.A. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri K.R. Jagdale, learned Advocate for Respondent No.3.

2. Learned P.O. has filed Additional Affidavit on behalf of Respondent No.1. It is taken on record.

3. Learned Advocate for Applicant to file 'Additional Affidavit-in-Rejoinder', if any.

3. S.O. 29.10.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

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

Date: 09.10.2024

O.A. No.257 of 2024

M.Y. Mungashe

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Shri S.S. Butala, learned Advocate for the Applicant, Shri A.D. Gugale, learned Presenting Officer for the Respondents and Shri G.A. Bandiwadekar, learned Advocate for Respondent No.2.

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

3. Learned Advocate for Respondent No.2 is granted last chance to file Affidavit-in-Reply on behalf of Respondent No.2.

4. S.O. 24.10.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

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

Date: 09.10.2024

O.A. No.727 of 2024

S.T. Mali

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Shri S.R. Deshpande, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.

2. Shri A.D. Gugale submits that he is informed that the committee has recommended revocation of Suspension Order of the Applicant and it is forwarded to the Competent Authority.

3. S.O. 19.11.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

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 Court
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

Date: 09.10.2024

O.A. No.1053 of 2024

S.R. DaradeApplicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Shri S.D. Patil, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned P.O. seeks 'Three Weeks' time to file Affidavit-in-Reply on behalf of Respondent. Time as prayed for is granted to learned P.O.

3. S.O. 13.11.2024.

Sd/-

(A.N. Karmarkar)
Member (J)

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: 09.10.2024</p> <p align="center">O.A. No.1064 of 2024</p> <p>N.S. BhandalkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri S.D. Patil, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'Ten Days' time to file Affidavit-in-Reply on behalf of Respondent. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. 23.10.2024.</p> <p align="right">Sd/- (A.N. Karmarkar) Member (J)</p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 09.10.2024</p> <p>O.A. No.1123 of 2024</p> <p>V.V. PrabhuApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file Affidavit-in-Reply on behalf of Respondent. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. 13.11.2024.</p> <p style="text-align: right;">Sd/- (A.N. Karmarkar) 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

Date : 09.10.2024

O.A.No.1295/2024

R.S. ChavanApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. Applicant challenges transfer order dated 04.10.2024 issued by Respondents No.2 and 3 to direct Respondents to stay the transfer order dated 04.10.2024 to the extent of applicant and not to relieve applicant from Sr. Police Inspector of MIDC Police Station Andheri (East), Mumbai City.

3. This Tribunal holds view that all the conditions and directions given in Clauses 1 to 11 by the Election Commission guidelines dated 31.07.2024 are to be followed scrupulously. The stand taken by the Government, to follow a particular Clause and violate other Clause is not allowed.

4. Under such circumstances, the applicant, if at all relieved yesterday or today, is directed to continue working on the concern post considering the law and order of Mumbai City.

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

6. Issue notice before admission returnable on 11.10.2024.

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.

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.

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.

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

11. Adjourned to 11.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 09.10.2024

O.A.No.1094/2024

S.B. VaijapurkarApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Ms. Srushti Thorat i/b. M/S. Vidhil Partners for Respondent No.3 and are present.

2. M/S. Jay & Co. for Respondent no.2 is absent.

3. Learned P.O. has submitted that there is some development in between during the pendency of this O.A. She has submitted that the M.M.R.D. has created post of Director of Urban Planning. The transfer order is already issued to the applicant, however, in view of status quo ante granted by this Tribunal by order dated 06.09.2024 the Government is not able to issue any further orders.

4. Today I am informed by learned Counsel Mr. Bandiwadekar that in view of order dated 06.09.2024 though the applicant was supposed to join in the office of MIDC and start working, however, the applicant not allowed to work in the office of MIDC. Today none is present from the office of MIDC.

5. In view of above, the Chief Executive Officer, M.I.D.C. is directed to remain present and explain as to why the applicant was not allowed to join and work at M.I.D.C. as per the directions given by this Tribunal in order dated 06.09.2024.

6. Adjourned to 10.10.2024 at 10.00 a.m. Interim relief, if any, to continue.

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 : 09.10.2024</p> <p>O.A.No.1237/2024 (Caveat No.34/2024)</p> <p>Y.W. MeshramApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. R.M. Kolge, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. M.D. Lonkar, learned Counsel for Respondent No.5, who is also Caveator in Caveat No.34/2024 are present.</p> <p>2. Learned Counsel Mr. Kolge has submitted by during the course of the day rejoinder will be filed. It be taken on record and copy be served upon the concern.</p> <p>3. Admit. Place for Final hearing.</p> <p>4. Adjourned to 18.10.2024. Status quo, if any, to continue.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 09.10.2024 O.A.No.790/2024</p> <p>M.S. WamanApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present</p> <p>2. Adjourned to 23.10.2024. Interim relief, if any, to continue.</p> <p style="text-align: right;">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

Date : 09.10.2024

M.A.No.603/2024 in O.A.No.760/2017

S.R. YadavApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Purva Pradhan holding for Mr. D.B. Khaire, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present

2. M.A.No.603/2024 is filed seeking transfer of O.A.No.760/2023 filed at M.A.T. Mumbai to M.A.T, Aurangabad Bench under Section 25 of the Administrative Tribunals Act, 1985.

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

4. Issue notice before admission returnable on 14.10.2024.

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

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

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

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

9. At the request of learned P.O. adjourned to 14.10.2024.

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 : 09.10.2024</p> <p>O.A.No.1058/2024</p> <p>R.K. JamdareApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. K.R. Jagdale, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Adjourned to 23.10.2024. Interim relief, if any, to continue.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</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

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

Tribunal's orders



**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>09.10.2024</u></p> <p style="text-align: center;"><u>O.A 530/2024</u> <u>(Speaking to the Minutes)</u></p> <p>Sandip B. Pawar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant has moved the application for Speaking to the Minutes wherein in Para Nos 3, 4, 7, 8, 10 and 11 it has been inadvertently mentioned Assistant Executive Engineer (Civil) Grade-I, Group-A in P.W.D, instead of Assistant Engineer (Civil) Grade-I, Group-A in P.W.D and in Para 6, the date is mentioned as 25.7.2003 instead of 25.7.2023.</p> <p>3. Learned P.O submits to the orders of the Court.</p> <p>4. Accordingly necessary correction is made in Para Nos 3, 4, 7, 8, 10 and 11 as the word Assistant Executive Engineer (Civil) Grade-I, Group-A in P.W.D, should be read as Assistant Engineer (Civil) Grade-I, Group-A in P.W.D. Also in Para 6 the date 25.7.2003 should be read as 25.7.2023.</p> <p>5. Order corrected accordingly.</p> <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>

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

Tribunal's orders

Date : 09.10.2024

O.A.No.1281/2024

S.S. KokareApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents are present.
2. Applicant is at present working as Police Inspector at Bhoiwada Police Station challenges the order dated 04.10.2024 by which he is transferred from Bhoiwada Police Station to Solapur City. He challenges the said order qua the applicant who is shown at Sr. No.51 in the recommendation list.
3. Learned Counsel has submitted that the applicant is transferred to Bhoiwada Police Station and he took charge on 13.06.2023. Applicant has not completed the requisite period of two years. Learned Counsel has further submitted that applicant is given extension of one year by order dated 30.06.2024.
4. Learned P.O. has pointed out that the applicant is working in Mumbai since 2005.
5. The question is raised by this Tribunal why the applicant was not earlier transferred to during the Lok Sabha Elections as he was due for transfer at the relevant time and why he is given extension of one year by order dated 30.06.2024. Learned P.O. is directed to file affidavit-in-reply on these points.
6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
7. Issue notice before admission returnable on 11.10.2024.
8. 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.
9. 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.
10. 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.
11. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed
12. Adjourned to 11.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 09.10.2024

O.A.No.1272/2024

R.A. BhajjanApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. U.V. Bhosle, learned Counsel for the Applicant and Mr. D.B. Patil, learned Presenting Officer for the Respondents are present.

2. Applicant challenges transfer order dated 14.08.2024 issued by Respondent No.2 thereby transferring him from Hotgi, South Solapur to Musti, South Solapur.

3. Learned Counsel has submitted that the applicant had already completed the tenure of more than three years. He had joined at Musti, South Solapur on 15.08.2024. Learned Counsel has submitted that the Applicant has given nine options, out of which Option No.2, Musti, South Solapur was considered and Option No.1, Valsang, South Solapur was kept vacant. Subsequently, Respondent No.3 was posted at Valsang, South Solapur who has completed only one year on his earlier post at City Survey, Solapur. He has relied on Notification dated 29.08.2024. The said Notification dated 29.08.2024 is regarding amendment to Section (4A) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties, Act, 2005 (hereinafter referred as 'ROTA 2005' for brevity). The Notification is regarding transfers as per ROTA 2005 shall not be made after 31.08.2024 unless the transfers are made as per Model Code of Conduct.

4. Considered submissions. It is necessary to reproduce Section (4A) of the Notification dated 29.08.2024.

"(4A) Notwithstanding anything contained in sub-section (4), the transfer shall be made upto 31st August, 2024, in cases where the transfers were not made due to enforcement of the Model Code of Conduct for General Election to the House of People, 2024."

The arguments of learned Counsel rest on this particular amendment of Section (4A) of ROTA 2005. This is not applicable in the present case as the transfer order of the applicant is passed on 14.08.2024. The Applicant has challenged the transfer of Private Respondent No.3 who is given posting on the choice posting of option No.1 of the applicant. The submissions made by learned Counsel that option no.1 was deliberately kept vacant to accommodate Respondent No.3 is not accepted. This application deserves to be summarily dismissed on the ground that transfer of the applicant is made as per Rules. When the options are invited as per G.R. dated 09.08.2024 and options are reasonably considered by the Respondent-State the Government servant has no right to go on bargaining or claiming a particular option in the said options. Hence, applicant has no legal claim.

5. O.A. stands dismissed.

Sd/-

(Mridula Bhatkar, J.)
Chairperson