

**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
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Date : 10 .02.2021

O.A.No.1184 of 2019

D.J. SonawaneApplicant

Versus

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

1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.
2. Perusal of record reveals that the Applicant and his Counsel are not ~~attended~~^{attending} O.A. regularly and often remains absent. Today also they are absent though waited upto 01.00 pm.
3. The Applicant and his Counsel appear not interested in the matter.
4. Hence, O.A. is dismissed in default.
5. No order as to costs.

Sd/-

v
(A.P. Kurhekar)
Member(J)

vsm

Later on, the Applicant Shri D.J. Sonawane appeared at 5.30 p.m. and stated that he had contacted his Advocate to attend the matter today, but Advocate told him to take adjournment since he is busy in some other Court. The Applicant, therefore, requested to restore the matter.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="718 531 1481 670">In view of above, the O.A. is restored with direction to the Applicant that he should keep his Advocate present without fail on next date.</p> <p data-bbox="794 733 1138 771">S.O. to 3rd March, 2021.</p> <p data-bbox="1182 826 1240 864">Sd/-</p> <p data-bbox="1088 909 1339 1018">(A.P. Kurhekar) Member-J 10.02.2021</p> <p data-bbox="710 1018 769 1048">(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center">Date: 10.02.2021</p> <p align="center">O. A. No.739 of 2020</p> <p>S.S. ShelkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The grievances raised in the present O.A. is for not considering the representations dated 25.06.2019 and 10.07.2020 made to the Respondent, The Director General and Inspector General of Police for his transfer to Satara on the ground that his wife is already serving at Karad, District Satara and therefore, he be transferred at Satara so that they could live together in terms of circular dated 27.11.1997. The Applicant is serving in Mumbai Police Commissionerate since 31.08.2017. He made representations to the Respondent on 25.06.2019 as well as on 10.07.2020 for request of transfer to Satara District. However, it is not responded and therefore the Applicant has filed the present O.A.</p> <p>3. Learned Advocate Shri B.A. Bandiwadekar submits that his client is subjected to discrimination and despite the policy that husband and wife should stay together, Respondent has failed to consider his representation.</p> <p>4. In first place it is for Respondent to consider the representation of the Applicant and to pass the appropriate order in accordance to rules.</p>

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

5. In view of above, Respondent is directed to take appropriate decision on representations dated 25.06.2017 and 10.07.2020 made by the Applicant within three weeks from today and shall appraise to the Tribunal about the decision, so that if necessary, O.A. can be taken up for Final Hearing.

6. Steno copy allowed.

7. S.O. to. 01.03.2021.

A. P. Kurhekar

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

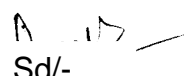
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10 .02.2021</p> <p align="center">M.A. No.77 of 2020 in O.A.No.720 of 2019</p> <p>Smt. M.S. Waghmare & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Reema Machhya holding for Shri A. A. Gharate, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. This matter was earlier fixed on 29.01.2021 but that day Applicants and their Counsel both were absent. However, the matter was adjourned to give one opportunity. 3. Today, when the matter was called out in morning session, nobody was present for the Applicants, and therefore, matter was kept in afternoon session. 4. In afternoon session Ms Reema Machhya holding for Shri A.A. Gharate, learned Counsel for the Applicant appeared and submits that his senior is busy in other court and requested for adjournment. 5. S.O. to 11.02.2021. <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

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

Tribunal's orders

C.A. No.81 of 2015 in O.A. No.81 of 2012

Shri Badashaha D. More ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. This CA No.81/2015 is filed in 2015 and OA No.81/2012 was filed in 2012.

3. This Tribunal has taken up a drive of clearing backlog and old pending cases in the Tribunal. Registry has placed this matter on board.

4. It is pointed out by Ld. PO that the judgment and order dated 30.3.2015 passed by this Tribunal in the above OA is challenged by the State Government in the Hon'ble High Court by filing Writ Petition No.12394 of 2015. The Division Bench of the Hon'ble High Court in its order dated 16.12.2015 has observed as under:

"Considering the averments made, at this stage, we are inclined to state that no coercive steps based upon the impugned order be taken till the next date of hearing including further proceedings of contempt."

5. Further the Hon'ble High Court by its order dated 4.9.2018 has observed as under:

"2. Prima facie, we are satisfied that the impugned order is erroneous. Therefore, there will be stay to the execution and operation of the impugned order till the final disposal of the petition. Hearing of the petition is expedited."

6. In view of this the Ld. Advocate for the applicant confirms the situation that the matter is admitted and still pending before the Hon'ble High Court.

7. In view of the above, we dispose off the above CA with liberty to approach this Tribunal, if required, after the decision of the Hon'ble High Court.

Sd/-

(P.N. Dixit)
Vice-Chairman
10.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
10.2.2021

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

C.A. No.84 of 2015 in O.A. No.781 of 2013

P.M. Waghmare & Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. This Tribunal has taken up a drive of clearing backlog and old pending cases in the Tribunal. Registry has placed this matter on board.

3. The above OA No.781 of 2013 was decided along with other OAs by common judgment and order dated 26.6.2015 of this Tribunal. However, the said judgment and order was challenged before the Hon'ble High Court in Writ Petitions No.10075/2015, 8708/2015 and 10502/2015. In the order dated 20.8.2018 the Division Bench of the Hon'ble High Court refers to the GR dated 23.3.2016 by which the Government has given effect to the judgment and order of this Tribunal subject to final decision in W.P. No.8708 of 2015. In view of the said GR the Hon'ble High Court did not grant any interim relief as the State Government has taken action subject to final outcome of the writ petitions. The Hon'ble High Court in the said order has also clarified that if the respondents-original applicants have been promoted during pendency of the writ petitions, even promotions will be subject to final outcome of the writ petitions and the three writ petitions were admitted.

4. In view of this order of the Hon'ble High Court, we dispose off this CA No.84 of 2015 with liberty to approach this Tribunal, subject to outcome of the writ petitions.

Sd/-

(P.N. Dixit)
Vice-Chairman
10.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
10.2.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

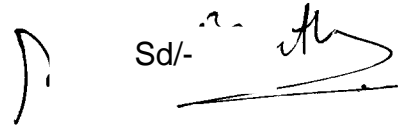
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.411 of 2020</u></p> <p>N.B. Nagargoje ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 to 3 and Shri K.R. Jagdale, learned Advocate for Respondents No.4 to 7.</p> <p>2. Ld. Advocate for Respondents No.4 to 7 seeks two weeks time to file reply.</p> <p>3. S.O. to 25.2.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- →</p> <p>(P.N. Dixit) Vice-Chairman 10.2.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;">  <p>Sd/-</p> <p>(Mridula R. Bhatkar, J.) Chairperson 10.2.2021</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. 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>Date : 10 .02.2021</p> <p align="center">O.A.No.370 of 2019</p> <p>L.T. Rathod ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Ms N. G. Gohad, learned Presenting Officer for the Respondents is present.</p> <p>2. Perusal of record reveals that the matter was unlisted for long time due to lockdown and today it is listed for final hearing.</p> <p>3. In view of above, instead of dismissing O.A., it would be appropriate to give one opportunity to Applicant and his Counsel.</p> <p>4. S.O. to 23.02.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No.

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	<p>Date : 10 .02.2021</p> <p align="center">O.A.No.1184 of 2019</p> <p>D.J. SonawaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Perusal of record reveals that the Applicant and his Counsel are not attended ^{attending} O.A. regularly and often remains absent. Today also they are absent though waited upto 01.00 pm.</p> <p>3. The Applicant and his Counsel appear not interested in the matter.</p> <p>4. Hence, O.A. is dismissed in default.</p> <p>5. No order as to costs.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center">Date: 10.02.2021</p> <p align="center">O. A. No.213 of 2020</p> <p>S.P. KhamkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Priya Patil, learned Advocate holding for Shri Abhijeet Kandarkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. Adjourned to 03.03.2021 for hearing at the stage of admission.</p> <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>Date : 10 .02.2021</p> <p>O.A.No.547 of 2017</p> <p>C. K. YerunkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Bhusan Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for adjournment on the ground that Smt. Kranti Gaikwad, learned P.O. who is in charge of the matter is unable to attend the Tribunal for a week due to said demise of her father.</p> <p>3. S.O. to 23.02.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No.

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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 : 10 .02.2021</p> <p>O.A.No.733 of 2020</p> <p>S. H. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Bhushan Bandiwadekar, learned Counsel 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 for filing reply as a last chance.</p> <p>3. S.O. to 24.02.2021.</p> <p style="text-align: right;">^ Sd/-</p> <p style="text-align: right;">v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date : 10 .02.2021

O.A.No.724 of 2020

M. B. Jadhav

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Bhushan Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K. , learned Presenting Officer for the Respondents.
2. Learned Counsel for the Applicant submits that Affidavit-in-Rejoinder will be filed during the course of the day. Statement is accepted. It be taken on record.
3. The matter is adjourned for hearing at the stage of admission.
4. S.O. to 25.02.2021.

Sd/-

**(A.P. Kurhekar)
Member(J)**

vsm

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

Tribunal's orders

Date : 10 .02.2021

**M.A. No.58 of 2021 in M.A.No.59 of 2021 in
O.A.No.05 of 2020**

**The State of Maharashtra & Ors.Applicants
(Ori. Respondents)**

Versus

D. R. Wadkure ...Respondent (Ori.Applicant)

1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents). The Applicant and his Counsel both are absent.
2. Issue notice before admission returnable on 24.02.2021
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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 M.A.. Respondents are put to notice that the case would 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. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 24.02.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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Date : 10 .02.2021

M.A. No.12 of 2021 in O.A.No.727 of 2019

J. H. K. Inamdar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In request of learned P.O. for the Respondents, two weeks time is granted for filing reply to Misc. Applications.
3. S.O. to 24.02.2021.

^
Sd/-

^^
(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 10 .02.2021</p> <p>M.A. No.114 of 2020 in O.A.No.65 of 2020</p> <p>S. P. KapdneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. B. Bhosale, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of record reveals that the matter was unlisted for long time due to Covid-19 pandemic situation. Today, for the first time, it is taken on board by circulation.</p> <p>3. On request of learned P.O., one week time is granted for filling reply to M.A.</p> <p>4. S.O. to 24.02.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 10 .02.2021</p> <p align="center">O.A.No.1177 of 2019</p> <p>V. M. ThombareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Datta Mane, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. has tendered affidavit of Shri Sanjiv Kumar Singhal, Additional Director General of Police, Administration to show the steps taken by the office of Director General of Police in pursuance of order passed by this Tribunal dated 08.01.2021. 3. Perusal of affidavit reveals that inquiry officer has been appointed and necessary steps were taken to fix the responsibility for causing delay in sending appeal to the Government. 4. I am, therefore, satisfied that the appropriate steps are taken by the office of Respondent No.2 in pursuance of order dated 08.01.2021. 5. In view of above, no further orders are warranted by the Tribunal and notice issued by order dated 08.02.2021 stands withdrawn. 6. Original Application is disposed of with no order as to costs. <p align="right"> Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

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	<p>Date : 10 .02.2021</p> <p align="center">R. A. No.12 of 2021 in O.A.No.525 of 2019</p> <p>R. B. NirmaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for adjournment on the ground that Smt. Kranti Gaikwad, learned P.O. who is in charge of the matter is unable to attend the Tribunal for a week due to said demise of her father.</p> <p>3. S.O. to 23.02.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Date : 10 .02.2021

O.A.No.688 of 2020

A. S. Tondse

....Applicant

Versus

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

1. Heard Shri Bhushan Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant is working as Naib Tahsildar at Solapur. He joined there on 28.11.2018. As such, his tenure could be three years at Solapur. However, he sought transfer to Pandharpur by his representation dated 15.07.2020 addressed to Divisional Commissioner, Pune. By order dated 20.10.2020, the Government has issued orders of transfer of some Tahasildars invoking Section 4(4) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005'). The Applicant has challenged this order dated 20.10.2020 in the present O.A. since his name is not included in the said transfer order.

3. Indeed, there is no question of challenging the transfer order dated 20.10.2020 by the Applicant on the ground that his name is not included in the transfer list. He has no locus to challenge the transfer order dated 20.10.2020, even he has not joined the persons who are transferred by order dated 20.10.2020.

4. Anyway, the representation made by the Applicant seems to be under consideration of the Government as submitted by learned P.O. He has also tendered letter dated 09.02.2021 issued by the Government wherein it is stated that the file in respect of request transfer of the Applicant is placed before the Hon'ble Minister and the decision is awaited.

5. In view of above, Original Application deserves to be disposed of with ~~some~~ following directions:-

(A) Original Application is disposed of with direction to the Respondent No.1 to take decision on the representation made by the Applicant within a month.

(B) The decision shall be communicated to the Applicant within two weeks thereafter.

6. Original Application is accordingly disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No.

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	<p>Date : 10 .02.2021</p> <p align="center">O.A.No.784 of 2019</p> <p>J. R. Kumbhar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents. 2. Perusal of record reveals that the matter was unlisted for long time due to lockdown and today it is listed for hearing at the stage of admission for the first time. 3. In view of above, on request of learned Counsel for the Applicant, adjourned for final hearing. 4. S.O. to 24.02.2021. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>