

**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 : 10.02.2022</p> <p align="center">O.A.No.652 of 2015</p> <p>S.K. NikaljeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that they have sent the papers to the Accountant General's office on 09.02.2022. Taken on record and marked at Exhibit-A.</p> <p>3. Adjourned to 23.02.2022.</p> <p align="center"> <table border="0"> <tr> <td align="center">Sd/- (Medha Gadgil) Member(A)</td> <td align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</td> </tr> </table> </p> <p>prk</p>	Sd/- (Medha Gadgil) Member(A)	Sd/- (Mridula Bhatkar, J.) Chairperson
Sd/- (Medha Gadgil) Member(A)	Sd/- (Mridula Bhatkar, J.) Chairperson		

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	<p align="center">Date : 10.02.2022</p> <p align="center">O.A.No.296 of 2021</p> <p>A.S. AgarkarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita Suryavanshi, learned Advocate holding for Mr. A.R. Joshi, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant prays that this matter is to be taken on record. Hence, the matter is taken on record today.</p> <p>3. The learned Counsel gives the written pursis as the applicant is promoted by order dated 02.02.2022. The cause of action does not survive and hence the applicant is directed to withdraw the O.A.</p> <p>4. Allowed to withdraw. O.A. is disposed of.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p>Date: 10.02.2022</p> <p align="center">M.A. No.77 of 2022 in O.A. No.126 of 2022</p> <p>V.S. Yadav & 3 Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 10.02.2022</p> <p align="center">O.A. No.126 of 2022</p> <p>V.S. Yadav & 3 Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicants who are serving as Police Naik on the establishment of Respondent – Commissioner of Police, Mumbai has challenged order dated 25.01.2022 whereby they are transferred from Gamdevi Police Station to Naigaum Police Station (Armed Police Force).</p> <p>3. Shri A.V. Bandiwadekar, learned Advocate for the Applicant sought interim relief on the ground that impugned transfer order is mid-term and mid-tenure and secondly it is by way of punishment. He has pointed out that P.E.B. has taken decision in its meeting dated 24.01.2022 only on the basis of default report submitted against the Applicants. He has further pointed out that subsequent to the Applicants default report, the Applicants were subjected to punishment of strict warning by order dated 08.09.2021 but it is not reflected in meeting of P.E.B.</p> <p>3. Learned P.O. has tendered minutes of P.E.B. for the perusal of Tribunal and stated that the Applicants are transferred by P.E.B. under Section 22 N (2) of Maharashtra Police Act and <i>prima-facie</i> impugned transfer order is legal and valid.</p> <p>4. Perusal of record as well as minutes of P.E.B. reveals that Police Naik, Shri Praveen Sonawane lodged report against the Applicants with Deputy Commissioner of Police stating that the Applicants are harassing hawkers and extracting money from them. On that Report, statement of the Applicants were recorded and Show Cause Notice was given. By order dated 08.09.2021 punishment of strict warning was given to them.</p>

[P.T.O.]

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5. True, in minutes of P.E.B. there is no reference of punishment order dated 08.09.2021 which ought to have been there.

6. Be that as it may, the fact remains that the Applicants were subjected to strict warning in enquiry under the Provision of Maharashtra Police (Punishment and Appeals) Rules, 1956. As such, this is not the case were the Applicants are subjected to Transfer on incomplete or pending enquiry of default report. Indeed, default report is cumulated into punishment of strict warning. Whether that punishment is legal or not is not the issue here.

7. Thus, *prima-facie* it was found that the Applicants were harassing hawkers and extracting money from them which necessitated their transfer from present Police station. In other words transfer is in consonance of Section 22 N (2) of Maharashtra Police Act. Hence, interim relief is rejected.

8. Issue notice before admission returnable on 10.03.2022.

9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

10. 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 Original Application. Respondents are put to notice that the case would 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. 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.

13. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

14. S.O. to 10.03.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

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	<p><u>M.A.555/2020 with M.A.585/2021 in O.A.732/2021</u></p> <p>Shri N.A. Ashtekar ... Applicant Vs. The State of Mah. & Ors. ... Respondents And Mr. D.P. Pradhan ... Intervener</p> <p>1. Heard Mr. G.A. Bandiwadekar, learned Advocate for the Applicant and Mrs. A.B. Kololgi holding for Mr. A.J. Chougule, learned P.O. for Respondents.</p> <p>2. Mrs. Punam Mahajan, learned Advocate for Intervener is absent when matter is called.</p> <p>3. Due to paucity of time, adjourned for hearing at the stage of admission to 1st March, 2022.</p> <p>4. Interim relief to continue till next date.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 10.02.2022</p> <p>(skw)</p>

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	<p style="text-align: center;"><u>O.A.1031/2021</u></p> <p>Shri K.A. Tare ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Heard Mrs. Punam Majahan, learned Advocate for the Applicant and Mrs. K.S. Gaikwad, learned P.O. for Respondents.2. Due to paucity of time, adjourned for hearing at the stage of admission to 3rd March, 2022.3. Interim relief to continue till next date. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 10.02.2022</p> <p>(skw)</p>

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	<p align="center"><u>O.A.43/2022</u></p> <p>Shri S.P. Kalgutkar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Applicant in person and Mrs. A.B. Kololgi, learned P.O. for Respondents.</p> <p>2. This O.A. is filed for direction to the Respondents to release his retiral benefits which are withheld for no justifiable or legal reasons. He stands retired on 31.07.2020.</p> <p>3. The learned P.O. was directed to take instructions as to why retiral benefits were withheld by order dated 24.01.2022.</p> <p>4. Today, learned P.O. on instructions stated that there is no DE or criminal prosecution pending against the Applicant. She further stated that No Dues Certificate is already issued and further action will be taken soon.</p> <p>5. In fact, the process for preparation of pension papers is required to be completed before six months of retirement. Since there was no DE or criminal prosecution pending against the Applicant, there was no legal hurdle to release retiral benefits. The Applicant is deprived of his retiral benefits from 31.07.2020.</p> <p>6. In view of above, the O.A. is disposed of with direction to Respondent No.4 - Commissioner of Police, Pune from whose establishment Applicant stood retired to ensure preparation of pension papers and release all retiral benefits of the Applicant within six weeks from today without fail.</p> <p>7. Insofar as interest claim is concerned, the Applicant is at liberty to redress the grievance of interest independently in accordance to Rules.</p> <p>8. No order as to costs.</p> <p align="right">Sd/- wv (A.P. Kurhekar) Member-J 10.02.2022</p> <p>(skw)</p>

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	<p style="text-align: center;"><u>O.A.1001/2021</u></p> <p>Shri U.S. Gutte ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Ms. Advaita M. Lonkar holding for Shri D.B. Khaire, learned Advocate for the Applicant and Mr. AJ. Chougule, learned P.O. for Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit-in-reply on behalf of Respondent No.1. It is taken on record.</p> <p>3. Since very small issue is involved in the O.A. which pertains to pay and allowances for 3 months, it can be disposed of by suitable direction on hearing Counsels.</p> <p>4. Adjourned to 14th February, 2022 since today time is over.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 10.02.2022</p> <p>(skw)</p>

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	<p align="center"><u>O.A.1015/2021</u></p> <p>Shri P.B. Ghodake ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Mr. A.V. Bandiwadekar, learned Advocate for the Applicant and Mrs. A.B. Kololgi, learned P.O. for Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit-in-reply on behalf of Respondents. It is taken on record.</p> <p>3. At the time of suspension, the Applicant was at Nashik but his Headquarter was changed to Malegaon despite Government G.R. dated 29.03.2008 that Headquarter should be at same place. Apart, Subsistence Allowance is not paid.</p> <p>4. The learned Advocate for the Applicant has raised two grievances and thereon twice directions were given about the change of Headquarter and payment of Subsistence Allowance. However, no compliance is reported.</p> <p>5. As such, the action of District Collector, Nashik to keep Headquarter at Malegaon is in contravention of G.R. dated 29.03.2008. His Headquarter should be kept at Nashik. The Collector, Nashik is accordingly directed to issue order of change of Headquarter within a week.</p> <p>6. The Collector, Nashik is further directed to pay Subsistence Allowance as per his entitlement regularly and non-compliance of it will be viewed seriously.</p> <p>7. On request of learned Advocate for the Applicant, two weeks' time is granted to file Rejoinder.</p> <p>8. S.O. to 24th February, 2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member-J 10.02.2022</p> <p>(skw)</p>

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	<p>Date: 10.02.2022</p> <p align="center">O.A. No.878 of 2021</p> <p>R.C. DeshmukhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.P. Rajepandhare, learned Advocate holding for Shri S.S. Dudhane, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for Pay and Allowances of June, July and August 2019. There seems to be dispute about his presence in the Office.</p> <p>3. Learned P.O. has tendered two orders dated 04.02.2022 which shows Tahasildar has passed orders treating some period as leave without pay and for some period Earn Leave has been granted.</p> <p>4. In view of above, learned Advocate for the Applicant sought permission to withdraw O.A. with liberty to challenge orders dated 04.02.2022.</p> <p>5. Allowed to withdraw the O.A. with liberty to challenge orders dated 04.02.2022 as may be permissible in law.</p> <p>6. O.A. is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 10.02.2022</p> <p style="text-align: center;">O.A. No.728 of 2021 (FOR SPEAKING TO THE MINUTES)</p> <p>S.S. KhaladkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Matter is taken on today's board for to correct some typographical minor mistake in para. 2 of order dated 03.02.2022.</p> <p>3. The Applicant is male but in para.2 it is referred as "She". The word she ^{he} is corrected as "He". Similarly, it is written that she is transferred to "Forensic Laboratory, Nagpur" it needs to be corrected as "Food and Drugs Administration, Laboratory, Nagpur". This be corrected in para. No.2.</p> <p style="text-align: right;">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 10.02.2022</p> <p align="center">O.A. No.55 of 2022</p> <p>V.S. KadamApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired from the post of Police Head Constable w.e.f. 30.06.2021. His grievance is that he was liable to be promoted to the post of A.S.I. since his juniors were already promoted, and therefore he has filed the present O.A.</p> <p>3. Thus, admittedly the Applicant stands retired as Police Head Constable and now seeking promotion with retrospective effect. As such, this is not a case of Deemed Date of Promotion but it is a case of claiming promotion with retrospective effect.</p> <p>4. In view of above, basically issue^{is} of entitlement of promotion which pertains to Division Bench.</p> <p>5. Registrar is therefore directed to place the matter before appropriate Bench.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center"><u>10.02.2022</u></p> <p align="center"><u>O.A 551/2021</u></p> <p>Shri C.J Gudewar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Liberty granted to the learned counsel for the applicant to file rejoinder, if required.</p> <p>3. Place for final hearing on 5.4.2022.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p>

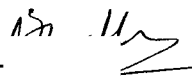
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	<p align="center"><u>C.A. No.58 of 2021 in O.A. Nos.889 & 890 of 2019</u></p> <p>M.G. Kamble & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Pursuant to affidavit dated 21.1.2022 filed by Shri Saurabh Vijay, Secretary, Medical Education & Drugs Department, Mantralaya, Mumbai, it is stated that proposal was twice submitted to the Hon'ble Minister, Medical Education & Drugs. However, the Hon'ble Minister has not signed the same.</p> <p>3. Thus, we are constrained to observe that there is want of compliance of the order of the Tribunal on the part of Hon'ble Minister.</p> <p>4. Therefore, we direct Shri Sanjay Jadhav, Personal Secretary to Hon'ble Minister to remain present in the Court on the next date.</p> <p>5. S.O. to 17.2.2022 at 10.30 a.m.</p> <p align="center"> Sd/- (Medha Gadgil) Member (A) 10.2.2022 (sgj) </p> <p align="center"> Sd/-  (Mridula Bhatkar, J.) Chairperson 10.2.2022 </p>

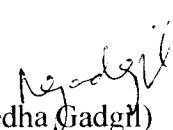
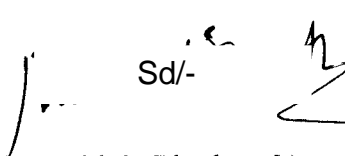
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	<p align="center"><u>M.A. No.451 of 2021 in O.A. No.746 of 2020</u></p> <p>S.M. Bhagwat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Interim relief to continue till next date.</p> <p>3. S.O. to 8.3.2022.</p> <p align="center">  (Medha Gadgil) Sd/- _____ (sgj) </p> <p align="center">  Sd/- _____ (Mridula Bhatkar, J.) Chairperson 10.2.2022 </p>

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	<p><u>10.02.2022</u></p> <p align="center"><u>O.A 96/2021</u></p> <p>Dr M.M Mahind & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Aditi Saxena, i/b Kranti L.C, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O for the Respondents states that the copy of the O.A is not served on the Respondents.</p> <p>3. Learned counsel for the applicant is directed to serve the copy of the Original Application on the Respondents within one week and the Respondents are directed to file affidavit in reply within three weeks.</p> <p>4. S.O to 9.3.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>M.A 571/2021 in O.A 993/2021</u></p> <p>Shri A.R Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O on instructions from Shri Himmat Jadhav, Addl. S.P, Kolhapur, who is the Enquiry Officer, states that the Departmental Enquiry will be completed within two months.</p> <p>3. S.O to 16.2.2022.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.02.2022</p> <p align="center">M.A. No.602 of 2021 in O.A. No.1061 of 2021</p> <p>B.G. KardeApplicant 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. On request of learned P.O. three weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 01.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 10.02.2022</p> <p align="center">M.A. No.532 of 2021 in O.A. No.945 of 2021</p> <p>J.G. ShindeApplicant 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 Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. Adjourned for hearing.</p> <p>4. S.O. to 03.03.2022.</p> <p 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>Date: 10.02.2022</p> <p>O.A. No.805 of 2021</p> <p>Dr. A.Y.Saraf & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Sonali Pawar, learned Advocate holding for Shri V.P. Sangvikar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that grievances are under consideration and decision is likely to be taken within a week. Therefore one week time is lastly granted to taken decision or to file Reply on merit, if any, so desire.</p> <p>3. S.O. to 18.02.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.02.2022</p> <p align="center">O.A. No.812 of 2021</p> <p>P.G. SoudeApplicant 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 Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Today matter is for filing Rejoinder but the same is not filed. 3. O.A. is therefore kept for hearing at the stage of admission since interim relief is running against the Respondent. 4. Interim relief to continue till next date. 5. Matter is expedited. 6. S.O. to 04.03.2022. <p align="right"> \wedge Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.02.2022</p> <p align="center">O.A. No.816 of 2021</p> <p>K.S. BirajdarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav 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 Advocate for the Applicant two weeks time is granted for filing M.A.</p> <p>3. S.O. to 24.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 10.02.2022</p> <p align="center">O.A. No.825 of 2021</p> <p>G.S. KaranjeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Asawari Ghatе, 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 P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 to 4. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 03.03.2022.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.02.2022</p> <p align="center">O.A. No.877 of 2021</p> <p>N.S. DhudhalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, 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. one week time is granted for filing Affidavit-in-Reply by way of most last chance.</p> <p>3. S.O. to 17.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.02.2022</p> <p align="center">O.A. No.961 of 2021</p> <p>G.M. KankdandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today O.A. is for filing Rejoinder but the same is not filed.</p> <p>3. O.A. be kept of hearing at the stage of admission with liberty to file Rejoinder in the mean time, if any.</p> <p>4. S.O. to 08.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.02.2022</p> <p align="center">O.A. No.1009 of 2021</p> <p>Dr. S.B. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Advaita M. Lonkar, learned Advocate holding for Shri M.D. Lonkar, 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 Affidavit-in-Reply.</p> <p>3. S.O. to 24.02.2022.</p> <p align="right">Sd/- w (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"><u>C.A. No.4 of 2020 in O.A. No.1119 of 2015</u></p> <p>Dr. B.M. Lad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Siddharth A. Khandelwal i/b Talekar & Associates, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that the W.P. was listed in the Hon`ble High Court on 19.1.2022.</p> <p>3. In view of this, the matter is adjourned to 9.3.2022.</p> <p align="center"> Sd/- / Sd/-  (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) / Chairperson 10.2.2022 / 10.2.2022 (sgj) </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"><u>O.A. No.114 of 2022</u></p> <p>A.N. Dhonde ..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. 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 8.3.2022. 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 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 align="center">Sd/- (Medha Gadgil) Member (A) 10.2.2022 (sgj)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson 10.2.2022</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.47 of 2022</u></p> <p>S.P. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad., 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 16.3.2022. 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 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 align="center">Sd/- (Medha Gadgil) Member (A) 10.2.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 10.2.2022</p> <p>(sgj)</p>

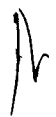
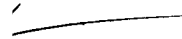
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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><u>10.02.2022</u></p> <p align="center"><u>C.A 55/2019 in O.As 805, 806 & 807/2016</u></p> <p>R.V Dube & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. At the request of the learned P.O, matter is taken on Board today.</p> <p>3. Learned P.O for the Respondents on instructions from Mr Rajendra Bhalawane, Under Secretary, Women & Child Development Department, Mantralya, Mumbai, who is present in the Court, states that the proposal has been sent to the office of the Accountant General on 2.2.2022 and they require two weeks' time.</p> <p>4. S.O to 23.2.2022.</p> <p align="center">Sd/-  (Medha Gadgil) Member (A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

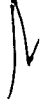

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>10.02.2022</u></p> <p><u>M.A 583/2021 in O.A 1133/2018 with M.A 63/2021 with O.A 339/2021</u></p> <p>A.D Wele [M.A 583/2021] B.A Kale [O.A 1133/2018] A.S Shah & Ors [O.A 339/2021] ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri L.S Deshmukh, learned counsel for the Intervenors, Smt Punam Mahajan, learned advocate for the Original Applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Misc Application No. 583/2021 seeking to intervene in the Original Application No. 1133/2018 is allowed.</p> <p>3. Learned counsel for the Applicants is directed to add the intervenors as Party Respondents and serve the copy of the Original Application to them.</p> <p>4. S.O to 22.2.2022.</p> <p align="center">Sd/-  (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>10.02.2022</u></p> <p align="center"><u>M.A 114/2021 in O.A 982/2019</u></p> <p>Shri R.K Bhosale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. O.A 1026/2021 and O.A 753/2021 be clubbed together with the present Original Application.</p> <p>3. S.O to 24.2.2022.</p> <p align="center">Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.81 of 2022</u></p> <p>Dr. Sagar M. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.R. Kulkarni, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks interim relief in the matter of admission to Post Graduate Course as an in service candidate subject to outcome of proposed Departmental Enquiry (DE) proceedings. He points out that applicant has appeared for NEET Examination 2021 dated 11.9.2021. The results of the examination were declared on 28.9.2021. The applicant has secured 315 marks and is therefore eligible to apply for the Post Graduation Admission Course. The cutoff marks for SC and Open Category is 265 and 302 respectively. The applicant has not been called for counseling on the ground that DE has been proposed and he is therefore not eligible as per clause 4.5 of GR dated 19.3.2019.</p> <p>3. He has further made an application dated 24.1.2022 to the Director of Health Services stating that he has not been given requisite marks as he has worked in Tribal/Difficult area. He has submission^(Legal Case) application to grant him additional marks at the rate of 10% each year and upto maximum of 30% of total marks which are to be given to any candidate who has worked in Naxalite/Tribal/Hilly/Difficult area.</p> <p>4. Ld. Advocate for the applicant relies on the following judgments of the Hon'ble Bombay High Court, Bench at Aurangabad:</p> <p>(i) <i>Dr. Rohan A. Thorat Vs. The State of Maharashtra, W.P. No.4671 of 2014 decided on 17.3.2015.</i></p>

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

Tribunal's orders

(ii) Dr. Satish D. Gadade Vs. The State of Maharashtra & Ors., W.P. No.1106 of 2014 decided on 20.2.2014.

5. In the above judgments the Hon'ble High Court has given permission to in service candidates to get admission in Post Graduate Course as in service candidate, subject to outcome of DE.

6. Id. CPO accepts that DE is proposed and not commenced. She submits to the order of the Court.

7. In view of the facts of the case and in view of the ratio laid down by the Hon'ble High Court in the above judgments, we grant interim relief to the applicant. Applicant is allowed to appear for the counseling which starts today.

8. This will be subject to outcome of the proposed DE, if any.

9. As regards his representation dated 24.1.2022 the respondents are directed to take a decision on merits.

10. In view of the fact that relief as prayed for is granted, nothing survives in the above Original Application and the same is disposed off with the above directions.

Sd/-

(Medha Gadgil)
Member (A)
10.2.2022

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
10.2.2022