

**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"><b><u>O.A.416/2022</u></b></p> <p><b>Shri A.S. Jage</b> <span style="float:right"><b>... Applicant</b></span></p> <p align="center"><b>Vs.</b></p> <p><b>The State of Mah. &amp; Ors.</b> <span style="float:right"><b>... Respondents</b></span></p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present. Applicant in person also present.</p> <p>2. The Applicant sought direction to the Respondents to promote him to the post of Sub-Divisional Officer in the light of decision rendered by the Tribunal in O.A.886/2017 (S.S. Sakharwade Vs. State of Maharashtra) decided on 30.04.2019 on the ground that minor penalty imposed against him by order dated 20.11.2020 does not come in his way for promotion.</p> <p>3. The Applicant is working as Sectional Engineer. In D.E, he was subjected to punishment of withholding one increment with cumulative effect and penalty of Rs.1,48,000/- was also imposed for causing loss to the Government by order dated 20.11.2020. Insofar as payment of recovery is concerned, it was to be recovered in monthly instalments of Rs.6,000/- from pay and allowances of the Applicant. The Applicant did not challenge the punishment order and it has attained finality.</p> <p>4. Applicant's grievance in O.A. is that he is ready to deposit entire penalty of Rs.1,48,000/- in lump sum and also made representation.</p> <p>6. His further grievance is that since the period of sentence/penalty of one year is already over, he was required to be considered for promotion in terms of G.R. dated 15.12.2017 which inter-alia provides for consideration of promotion after the period of <u>service</u> of Government servant is over. <span style="float:right"><i>by punishment</i></span></p> <p>7. Though punishment was imposed by order dated 20.11.2020, the instalment of Rs.6,000/- p.m. is started quite belatedly from March, 2022.</p> <p>8. In Affidavit-in-reply, all that Respondent contends that penalty is not yet fully recovered and it is further stated that the decision of DPC about promotion of the Applicant is kept in sealed cover.</p>

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	<p>9. Thus, it appears that because of non-recovery of penalty fully, the Applicant is not promoted and his fate is kept in sealed cover as per the practice.</p> <p>10. Now, period of penalty of withholding of increment for one year is already over. That apart, Applicant is ready to deposit the remaining amount of penalty in lump sum. Indeed, the period of payment of recovery is also over by December, 2020. But since recovery is started belatedly from March, 2022, it is not yet fully recovered. Since Applicant is ready to pay remaining amount of penalty in lump sum, that issue should not come in the way of Applicant for consideration for promotion as Sub-Divisional Officer. Likewise, since period of withholding of increment for one year is also over, the Respondents are required to open sealed envelope and to take necessary steps accordingly.</p> <p>11. In view of above, O.A. is disposed of with following directions :-</p> <p>(i) The Executive Engineer, Road Project Division, Mahad, District, that is the Office where Applicant is serving is directed to accept balance of penalty amount on ascertaining the same from the record and Applicant shall deposit the same within a week from today.</p> <p>(ii) After payment of remaining penalty amount, the DPC shall be convened to open sealed envelope and shall take appropriate decision about the promotion of the Applicant to the post of Sub-Divisional Officer in accordance to law and it be communicated to the Applicant.</p> <p>(iii) This exercise be completed within four weeks from the date of depositing remaining penalty amount.</p> <p>(iv) No order as to costs.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;"><b>(Debashhish Chakrabarty)</b> <span style="float: right;"><b>(A.P. Kurhekar)</b></span>  <b>Member-A</b> <span style="float: right;"><b>Member-J</b></span>  <b>10.08.2023</b> <span style="float: right;"><b>10.08.2023</b></span></p> <p>(skw) <u>L.O.</u> :</p> <p>1. Learned Advocate for the Applicant has pointed out two inadvertent mistakes in Para Nos.6 and 11(i) of the order.</p> <p>2. In Para No.6 in last sentence, the word mentioned 'service' be corrected as 'punishment' and in Para No.11(i), the name of District is not mentioned, so it be mentioned as 'Raigad'.</p> <p>3. Accordingly, corrections are made.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;"><b>(Debashhish Chakrabarty)</b> <span style="float: right;"><b>(A.P. Kurhekar)</b></span>  <b>Member-A</b> <span style="float: right;"><b>Member-J</b></span>  <b>10.08.2023</b> <span style="float: right;"><b>10.08.2023</b></span></p> <p>(skw)</p>

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	<p align="center"><u>OAs.1253/2022, 4/2023, 146/2023, 111/2023 &amp;112/2023</u></p>
	<p>A.K. Agale &amp; Ors. (OA.1253/2022)  D.D. Jagtap &amp; Ors. (OA.4/2023)  C.S. Bhor &amp; Ors. (OA.146/2023)  S.C. Bhillare (OA.111/2023)  M.A. Sonawane (OA.112/2023) ..Applicants  Vs.  The State of Maharashtra &amp; Ors. ..Respondents</p>
	<p>Heard Shri U.V. Bhosle, learned Advocate for the Applicants in OAs. No.1253/2022 &amp; 146/2023, Dr. R.R. Asawa, learned Advocate for Applicants in OA No.4/2023, Shri M.B. Kadam holding for Shri K.B. Jadhav, learned Advocate for Applicants in OAs No.111/2023 &amp; 112/2023 and Smt. Archana B.K. and Shri A.J. Chougule, learned Presenting Officers for the Respondents.</p>
	<p>2. In all these Original Applications retired Government servants have raised claim for benefit of Annual Increment due on 1<sup>st</sup> July of the concerned year of the retirement.</p>
	<p>3. Ld. Advocates for the applicants relied on the judgment and order dated 16.2.2023 passed by the Hon'ble High Court in W.P. No.1821 of 2023 and the GR dated 28.6.2023 issued by the Finance Department.</p>
	<p>4. Irrespective of the year of retirement of Government servants, they are entitled to the benefit of increment due on 1<sup>st</sup> July of the concerned year of their retirement but arrears is restricted to three years preceding the date of application made for such benefit or preceding the date of actual retirement whichever is less. In the present Original Applications the Applicants have made representation / application for the grant of the said benefit which needs to be considered in terms of Clause (b) of the said order dated 16.2.2023.</p>

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5. Ld. Advocates for the applicants submits that in similar set of facts and circumstances of the case this Tribunal by its order dated 17.7.2023 has decided OAs No.37 of 2023 & other group matters. Ld. Advocates submits that similar order may also be passed in this group of matters.

6. Ld. POs submits to the order of the Court.

7. I have gone through the said order dated 17.7.2023. In view of the above and for the reasons recorded by this Tribunal in its order dated 17.7.2023 in OAs No.37/2023 & other group matters, these OA are disposed off with the following order.

8. All these OAs. are allowed with direction to the Respondents to take further necessary steps in terms of G.R. dated 28.06.2023 including all consequential monetary benefits as per their entitlement within three months from today. No order as to costs.

Sd/-  
(Medha Gadgil)  
Member (A)  
10.8.2023

(sgj)

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	<p data-bbox="987 834 1260 878"><u>O.A. No.552 of 2023</u></p> <p data-bbox="732 904 1446 963">A.P. Shete ..Applicant Vs. ..Respondents The State of Maharashtra &amp; Ors.</p> <p data-bbox="727 1051 1507 1166">Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p data-bbox="711 1200 1507 1676">2. In the above matter respondent no.4-Smt. Rekha Satpute was added as a party respondent by way of amendment granted on 12.5.2023. Ld. Advocate for the applicant submits that he has received letter dated 5.6.2023 from respondent no.4-Smt. Rekha Satpute informing that she has received the copy of OA and reversion of the applicant is done by the office and she is not concerned with the matter. Thus, we consider this as a good service on respondent no.4 and she is not interested in coming before this Tribunal to defend this matter. We proceed without her presence. The State has filed the reply. The said letter dated 5.6.2023 is taken on record and marked as Court Exhibit-1 for identification.</p> <p data-bbox="699 1715 1490 1947">3. Ld. Advocate submits that applicant and respondent no.4 joined the service in the year 1998. The applicant was shown at Sr. No.6 and respondent no.4 was shown at Sr. No.10 in the seniority list. This seniority list was maintained till 2005. In the seniority list dated 1.1.2008 the applicant is shown at Sr. No.75 and respondent no.4 at Sr. No.84.</p> <p data-bbox="683 1973 1474 2205">4. The applicant was promoted to the post of First Clerk on 29.5.2010 and respondent no.4 was promoted to the post of First Clerk on 30.9.2010. On 7.10.2016 the applicant was promoted to the post of Superintendent. The applicant was reverted by order dated 28.4.2023 from the post of Superintendent to the post of First Clerk and now he is</p>

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working as First Clerk. <sup>Tribunal's orders</sup> In the said letter it is mentioned that in the Coordination Committee meeting dated 25.4.2023 of Public Works Circle, Pune a decision was taken to revert the applicant to the post of First Clerk.

5. Ld. PO points out affidavit in reply dated 9.6.2023 filed by Ajay Subhash Patil, Assistant Superintending Engineer, Public Works Circle, Pune..

6. After going through the reply especially para 4 we are of the view that PWD has not specifically pointed out as to why and how merit and seniority were not followed from 1998 till 2023. It is necessary for the State to mention the marks scored of the applicant and also respondent no.4 at the time of their joining.

7. Respondents are directed to produce the minutes of the meeting.

8. S.O. to 6.9.2023.

Sd/-

(Medha Gadgil)  
Member (A)  
10.8.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson  
10.8.2023

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DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<b>10.08.2023</b>
	<b><u>O.A 818/2023</u></b>
	Shri D.A Shengal ... Applicant Vs. The State of Maharashtra & Ors ... Respondents
	1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.
	2. The applicant challenges the transfer order dated 15.5.2023 transferring him as Live Stock Development Officer, Veterinary Dispensary, Nasik to Live Stock Development Officer, Veterinary Dispensary, Ahmednagar.
	3. Issue notice before admission returnable on 7.9.2023.
	4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
	5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
	6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
	7. In case notice is not collected within <b>seven</b> days or service report on affidavit in not filed <b>three</b> days before returnable date, the Original/Miscellaneous Application shall be placed on board before the concerned Benches under the caption ' <b>for Dismissal</b> ' and thereafter on the subsequent date the Original/Miscellaneous Applications shall stand dismissed."
	8. S.O to 7.9.2023.
	Sd/- / (Mridula Bhatkar, J.) Chairperson
	Akn

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	<p><b><u>10.08.2023</u></b></p> <p><b><u>C.A 43/2023 in O.A 32/2023 with M.A 364/2023 in O.A 619/2023</u></b></p> <p>A.D Nargude &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents With</p> <p>The State of Maharashtra &amp; Ors ... Applicants (Ori Respondents) Vs.</p> <p>R.D Pardhi &amp; Ors .... Respondents (Ori Applicants in O.A 619/2023)</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants in Contempt Application No 43/2023. Smt K.S Gaikwad, learned Presenting Officer for the Respondents and Mrs Punam Mahajan, learned counsel for the applicants in M.A 364/2023 in O.A 619/2023.</p> <p>2. Pursuant to the order dated 9.8.2023, Mrs Sneha Deokate, Deputy Collector/SDO is present today.</p> <p>3. Learned P.O seeks time.</p> <p>4. S.O to 18.8.2023. Interim relief to continue.</p> <p align="center">Sd/- <b>(Medha Gadgil)</b> Member (A) <small>Akn</small></p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>



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	<p><b><u>10.08.2023</u></b></p> <p><b><u>M.A 489/2023 in O.A 735/2023</u></b></p> <p>Shri K.V Badave ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant prays that the Respondents be directed to consider the case of the applicant for promotion to the post of Tahsildar if found fit for promotion and issue the promotion order with all consequential service benefits. Learned counsel submits that the applicant is retiring on 31.10.2023.</p> <p>3. Learned P.O submits that all the information in respect of the applicant have been sent to the Respondent No. 1 on 9.8.2023.</p> <p>4. In view of the above, Respondent No. 1, is directed to convene the meeting of the Departmental Promotion Committee and consider the case of the applicant for promotion to the post of Tahsildar and if found fit and eligible, necessary promotion order be issued. The said decision be taken by 31.8.2023.</p> <p>5. With the above directions, Misc Application as well as Original Application stands disposed of.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A) <small>Akn</small></p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

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(Advocate .....

*versus*

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..... Respondent/s

(Presenting Officer.....)

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	<p style="text-align: center;"><b><u>10.08.2023</u></b></p> <p style="text-align: center;"><b><u>O.A 836/2023</u></b></p> <p>Sandya L. Kale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Maruti Sarkar i/b Shri Datta Mane, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant prays that the list dated 21.4.2022 be quashed and set aside to the extent of applicant only and thereby treating the applicant eligible for interview to be scheduled from 12.7.2023 to 20.7.2023 and the Respondent no. 2 be directed to include the name of the applicant in the interview list dated 30.6.2023 and 6.7.2023.</p> <p>3. Learned P.O submits that subsequent to the order dated 17.7.2023, the Respondent No. 2, MPSC, has sent SMS on 26.7.2023 at 3.07 pm and again on 27.7.2023 sent email at 4.47 pm to the applicant to appear for interview.</p> <p>4. Learned counsel for the applicant submits that the applicant has not received the SMS or email, and therefore, she could not appear for the interview. Learned counsel submitted that the Respondent no. 2 should have sent the message through Whatsapp.</p> <p>5. We find that that the stand of the applicant is not sustainable. The applicant is required to be diligent in respect of the communication from MPSC, when she has filed the Original Application and order passed in her favour.</p> <p>6. Under such circumstances, as the interview is over, the matter has become infructuous and the same</p> <p style="text-align: center;">Sd/- Sd/- (Medha Gadgil) Member (A) Aku</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>10.08.2023</u></p> <p><u>O.A 679/2021</u></p> <p>Shri M.A R Shaikh ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant on instructions, submits that the applicant want to withdraw the Original Application.</p> <p>3. Original Application stands disposed of as withdrawn.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><b>Date : 10.08.2023</b></p> <p><b>O.A.No.966/2023</b></p> <p>A. Karwande .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.R. Purandare, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate has submitted that as the prayers are vague and he seeks permission to amend the O.A.</p> <p>3. Permission granted. Amendment be carried out forthwith. Amended copy be served upon the concerned.</p> <p>4. Adjourned to 18.08.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p><b>Date : 10.08.2023</b></p> <p><b>O.A.No.972/2023 with O.A.No.973/2023 with O.A.No.974/2023</b></p> <p>D.E. Sonune &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms, Shreyas Deshpande with Mr. Madhur Golegaonkar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The three applicants are Talathi challenging the order dated 19.05.2023 passed by the S.D.O. placing the Applicants on supernumerary post.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 24.08.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> 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.</p> <p>8. Adjourned to 24.08.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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**Date : 10.08.2023**

**O.A.No.977/2023**

A.B. Mane .....Applicant  
Vs.

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

1. Heard Mr. Govind Solanke, learned Advocate holding for Mr. S.S. Thombre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Applicant be directed to quash and set aside the impugned order dated 27.03.2023 passed by the Respondent No.5 and also impugned letter/ order dated 10.07.2023 passed by the Respondent No.7. Applicant has applied for the post of Police Constable in Sport Category. The sports certificate could not be verified.
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 24.08.2023.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit 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.
8. The Director, Sports and Youth Services to make statement whether the record of such game which is placed by the applicant is available.
9. Adjourned to 24.08.2023.

Sd/-

(Medha Gadgil)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 10.08.2023</b></p> <p><b>O.A.No.981/2023</b></p> <p>R.A. Kulkarni .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Kunal Tilak, learned Advocate holding for Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Applicant, working as Assistant Motor Vehicle Inspector joined the Government service on 18.12.2007 as Junior Engineer and from 30.12.2016 as an Assistant Motor Vehicle Inspector. However, till today the report of the completion of the probation is not given so he prayed that it is to be declared that he has successfully completed the probation period.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 06.09.2023.</p> <p>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original 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.</p> <p>9. Adjourned to 06.09.2023.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 10.08.2023</b></p> <p><b>O.A. O.A.No.985/2023</b></p> <p>A.R. Shinde &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief 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 24.08.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> 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.</p> <p>8. Adjourned to 24.08.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</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><b>Date : 10.08.2023</b></p> <p><b>M.A.No.508/2023 in O.A.No.985/2023</b></p> <p>A.R. Shinde &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</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><b><u>10.08.2023</u></b></p> <p><b><u>O.A 687 &amp; 688/2023</u></b></p> <p>R.R Lembhe V.Y Waghmare ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks permission to amend the Original Applications.</p> <p>3. Permission granted. Amendment to be carried out forthwith and copy be served on the Respondents.</p> <p>4. S.O to 21.8.2023.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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

Tribunal's orders

M.A. No.509 of 2023 in O.A. No.471 of 2023

P.R. Kachave

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission in MA returnable on 31.8.2023. The respondents are directed to file reply.

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.

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

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

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

Sd/-

(Medha Gadgil)

Member (A)

10.8.2023

(sgj)

**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 style="text-align: center;"><u>O.A. No.332 of 2023</u></p> <p>R.B. Kawale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply is filed.</p> <p>3. Admit.</p> <p>4. S.O. to 31.8.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 10.8.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.518 of 2023</u></p> <p>D.S. Sawant ..Applicant Vs. The State of Maharashtra &amp; 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. Admit.</p> <p>3. S.O. to 7.9.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 10.8.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.344 of 2023 in O.A. No.551 of 2023</u></p> <p>K.M. Tongaonkar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.D. Bhamare, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This MA is filed for condoning the delay of 430 days in filing the OA.</p> <p>3. Ld. Advocate prays that delay may be condoned in view of the period of COVID-19 and also the <u>order dated 10.1.2022 passed by the Hon'ble Supreme Court in MA No.21/2022 in MA No.665/2021 in Suo Motu Writ Petition (C) No.3 of 2020.</u></p> <p>4. For the reasons stated in the MA and in view of the order of the Hon'ble Supreme Court, the delay is condoned. MA is allowed.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 10.8.2023</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.551 of 2023

K.M. Tongaonkar

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri R.D. Bhamare, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 31.8.2023. The respondents are directed to file reply.

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.

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

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

7. In case notice is not collected within **seven days** or service report on affidavit 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/-

(Medha Gadgil)

Member (A)

10.8.2023

(sgj)

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

Tribunal's orders

O.A. No.986 of 2023

R.B. Borhade ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 7.9.2023. The respondents are directed to file reply.

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.

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

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

7. In case notice is not collected within **seven days** or service report on affidavit 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/-  
(Medha Gadgil) ✓  
Member (A)  
10.8.2023

(sgj)



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

Tribunal's orders

O.A. No.980 of 2023

Ananda G. Jagtap, Husband of  
Late Smt. Vidya A. Jagtap

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Smt. Punam Mahajan, learned Advocate for  
the Applicant and Smt. Archana B.K., learned Presenting  
Officer for the Respondents.

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

3. Issue notice before admission returnable on 6.9.2023.  
The respondents are directed to file reply.

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.

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

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

7. In case notice is not collected within **seven days** or  
service report on affidavit 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/-

(Medha Gadgil)

Member (A)

10.8.2023

(sgj)

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

Tribunal's orders

M.A. No.505 of 2023 in O.A. No.982 of 2023

J.D. Bhambure & Ors.

..Applicants

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri Kiran Upasani, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.

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

3. Issue notice before admission in MA returnable on 31.8.2023. The respondents are directed to file reply.

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.

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

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

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

Sd/-

(Medha Gadgil)

Member (A)

10.8.2023

(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 style="text-align: center;"><u>M.A. No.506 of 2023 in O.A. No.982 of 2023</u></p> <p>J.D. Bhambure &amp; Ors. .Applicants Vs. The State of Maharashtra &amp; Ors. .Respondents</p> <p>Heard Shri Kiran Upasani, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, 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 style="text-align: right;">Sd/- (Medha Gadgi) Member (A) 10.8.2023</p> <p>(sgj)</p>

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

Tribunal's orders

Date : 10.08.2023

O.A.No.956 of 2022

M. S. Kembalkar .....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The Applicant has filed O.A. to quash departmental proceeding initiated by charge sheet dated 19.06.2014 and also for direction to the Respondents to consider him for promotion to the post of Joint Commissioner of Food in view of the decision of the Hon'ble High Court **2016 (1) Mh. L.J. 827 (Prabhkar Rangari V/s Minister of Industries)**.
3. The grievance of the Applicant is that due to inordinate delay and lethargy on the part of Respondents though the period of more than 9 years is over, the D.E. is not completed and because of it, he is deprived of promotion to the post of Joint Commissioner, Food.
4. Affidavit in Reply is totally silent as to why D.E. is not completed within time. Indeed, as per various Circulars, D.E. ought to have been completed maximum within one year. The Hon'ble Supreme Court also mandates completion of D.E. maximum within one year as held in **(2015) 16 SCC 415 (Prem Nath Bali V/s Registrar, High Court of Delhi & Anr.)**.
5. However, astonishing to note in present case even Enquiry Officer is appointed after nine years i.e. 28.2.2023 which shows totally lethargy., inaction and negligence on the part of concerned.
6. In view of above, Principal Secretary, Medical Education and Drugs Department is directed to file Affidavit and to explain why D.E. is not completed within reasonable period and what action he proposes to take against the concerned erring officers.
7. Affidavit should be filed on 21.08.2023.
8. S.O. to 21.08.2023.

Sd/-

Sd/-

(Debashish Chakrabarty)  
Member (A)

(A.P. Kurhekar)  
Member(J)

**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 align="center"><b><u>O.A.416/2022</u></b></p> <p><b>Shri A.S. Jage</b> ... <b>Applicant</b></p> <p align="center"><b>Vs.</b></p> <p><b>The State of Mah. &amp; Ors.</b> ... <b>Respondents</b></p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present. Applicant in person also present.</p> <p>2. The Applicant sought direction to the Respondents to promote him to the post of Sub-Divisional Officer in the light of decision rendered by the Tribunal in O.A.886/2017 (S.S. Sakharwade Vs. State of Maharashtra) decided on 30.04.2019 on the ground that minor penalty imposed against him by order dated 20.11.2020 does not come in his way for promotion.</p> <p>3. The Applicant is working as Sectional Engineer. In D.E, he was subjected to punishment of withholding one increment with cumulative effect and penalty of Rs.1,48,000/- was also imposed for causing loss to the Government by order dated 20.11.2020. Insofar as payment of recovery is concerned, it was to be recovered in monthly instalments of Rs.6,000/- from pay and allowances of the Applicant. The Applicant did not challenge the punishment order and it has attained finality.</p> <p>4. Applicant's grievance in O.A. is that he is ready to deposit entire penalty of Rs.1,48,000/- in lump sum and also made representation.</p> <p>6. His further grievance is that since the period of sentence/penalty of one year is already over, he was required to be considered for promotion in terms of G.R. dated 15.12.2017 which inter-alia provides for consideration of promotion after the period of service of Government servant is over.</p> <p>7. Though punishment was imposed by order dated 20.11.2020, the instalment of Rs.6,000/- p.m. is started quite belatedly from March, 2022.</p> <p>8. In Affidavit-in-reply, all that Respondent contends that penalty is not yet fully recovered and it is further stated that the decision of DPC about promotion of the Applicant is kept in sealed cover.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>9. Thus, it appears that because of non-recovery of penalty fully, the Applicant is not promoted and his fate is kept in sealed cover as per the practice.</p> <p>10. Now, period of penalty of withholding of increment for one year is already over. That apart, Applicant is ready to deposit the remaining amount of penalty in lump sum. Indeed, the period of payment of recovery is also over by December, 2020. But since recovery is started belatedly from March, 2022, it is not yet fully recovered. Since Applicant is ready to pay remaining amount of penalty in lump sum, that issue should not come in the way of Applicant for consideration for promotion as Sub-Divisional Officer. Likewise, since period of withholding of increment for one year is also over, the Respondents are required to open sealed envelope and to take necessary steps accordingly.</p> <p>11. In view of above, O.A. is disposed of with following directions :-</p> <p>(i) The Executive Engineer, Road Project Division, Mahad, District that is the Office where Applicant is serving is directed to accept balance of penalty amount on ascertaining the same from the record and Applicant shall deposit the same within a week from today.</p> <p>(ii) After payment of remaining penalty amount, the DPC shall be convened to open sealed envelope and shall take appropriate decision about the promotion of the Applicant to the post of Sub-Divisional Officer in accordance to law and it be communicated to the Applicant.</p> <p>(iii) This exercise be completed within four weeks from the date of depositing remaining penalty amount.</p> <p>(iv) No order as to costs.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;"><b>(Debashhish Chakrabarty)</b> <span style="float: right;"><b>(A.P. Kurhekar)</b></span>  <b>Member-A</b> <span style="float: right;"><b>Member-J</b></span>  <b>10.08.2023</b> <span style="float: right;"><b>10.08.2023</b></span></p> <p>(skw)</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 data-bbox="776 741 1003 775">Date: 10.08.2023</p> <p data-bbox="1008 819 1279 852">O.A. No.513 of 2017</p> <p data-bbox="776 896 1511 1014">H.B. Sonawane &amp; 4 Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p data-bbox="776 1092 1520 1264">1. Heard Shri V.G. Panchal, learned Advocate holding for Shri R.G. Panchal, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p data-bbox="776 1316 1520 1401">2. On request of learned Advocate for the Applicant adjourned for Final Hearing.</p> <p data-bbox="776 1452 1133 1486">3. S.O. to 06.09.2023.</p> <p data-bbox="792 1566 1117 1695">Sd/- (Debashish Chakrabarty) Member (A)</p> <p data-bbox="1222 1527 1430 1695">Sd/- (A.P. Kurhekar) Member (J)</p> <p data-bbox="792 1736 841 1761">NMN</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: 10.08.2023</p> <p align="center">O.A. No.594 of 2017</p> <p>U.S. Wategaonkar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate both are absent.</li> <li>Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present.</li> <li>Perusal of record reveals that on previous date also Applicant and his Advocate was absent. Thus they seem not interested in the matter.</li> <li>O.A. is dismissed in default.</li> </ol> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

W/C.A. No. of 20

I N

Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Notes, Office Memoranda of Coram, appearance, Tribunal's orders or objections and Registrar's orders	Tribunal's orders
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Date : 10.08.2023

O.A.No.56 of 2017

Ms A. S. Chavan

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. On request of learned P.O., three days' time is granted to file Sur-Rejoinder as a last chance.
3. S.O. to 21.08.2023.

Sd/-

(Debashish Chakrabarty)  
Member (A)

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 Corem, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.757/2017</u></b></p> <p><b>Shri D.C. Pawar</b> ... Applicant</p> <p align="center"><b>Vs.</b></p> <p><b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Smt. S.T. Suryawanshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. Applicant in person also present.</p> <p>2. When the matter is taken up for hearing, the learned Advocate for the Applicant sought permission to withdraw the O.A. in view of promotion order dated 26.07.2023 whereby Applicant is promoted to the post of Police Sub-Inspector.</p> <p>3. In view of above, O.A. is disposed of with no order as to costs.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center"><b>(Debashhish Chakrabarty)</b> <span style="float: right;"><b>(A.P. Kurhekar)</b></span></p> <p align="center"><b>Member-A</b> <span style="float: right;"><b>Member-J</b></span></p> <p align="center"><b>10.08.2023</b> <span style="float: right;"><b>10.08.2023</b></span></p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.361/2017</u></b></p> <p><b>Shri V.N. Itqyal</b> ... Applicant</p> <p align="center"><b>Vs.</b></p> <p><b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Smt. Purva Pradhan holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. Today, learned PO has filed Additional Affidavit along with Annexures. It is taken on record.</p> <p>4. The learned Advocate for the Applicant sought time to go through Additional Affidavit filed today and to argue the matter.</p> <p>5. S.O. to 8<sup>th</sup> September, 2023.</p> <p align="center">Sd/- <b>(Debashhish Chakrabarty)</b> Member-A 10.08.2023</p> <p align="center">Sd/- <b>(A.P. Kurhekar)</b> Member-J 10.08.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.08.2023</p> <p align="center"><b>C.A. No.61 of 2023 in O.A. No.561 of 2021 with O.A. No.899 of 2022</b></p> <p><b>K.A. Salunke</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....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. When the Contempt Application is taken up for hearing, learned P.O. has tendered letter dated 09.08.2023 whereby the Applicant is given posting at Niphad. In Affidavit-in-Reply Contemnor tenders unconditional apology for delay in compliance of the order of the Tribunal.</p> <p>3. Thus grievance of the Applicant is redressed and the order of the Tribunal is complied with though not within specified time limit given by the Tribunal. However, since Contemnor has given unconditional apology on Affidavit, we accept the same.</p> <p>4. Contempt proceeding is disposed of with no order as to costs.</p> <p align="center"> Sd/-  (Debashish Chakrabarty)  Member (A) </p> <p align="center"> Sd/-  (A.P. Kurhekar)  Member (J) </p> <p align="center">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 : 10.08.2023</p> <p align="center">O.A.No.174 of 2022</p> <p>V. C. Gaikwad .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri V. M. Emul, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit in Rejoinder. It is taken on record.</p> <p>3. Since, pleading is complete, admitted for final hearing.</p> <p>4. S.O. to 21.08.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="center">vsm</p>

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

A./C.A. No. \_\_\_\_\_ of 20\_\_\_\_

I N

Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Notes, Office Memoranda of Coram, appearance, Tribunal's orders or objections and Registrar's orders	Tribunal's orders
	<p>Date : 10.08.2023</p> <p style="text-align: center;">O.A.No.50 of 2017</p> <p>H. S. Koli <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. When the matter is heard for some time, it is noticed that relevant orders of promotion as Sr. Clerk after reversion to Jr. Clerk etc. are not forthcoming which are material for the decision of O.A..</li> <li>3. Hence, on request of learned Counsel for the Applicant, one week time is granted to file additional Affidavit along with necessary orders.</li> <li>4. Learned C.P.O. is also directed to file additional Affidavit explaining time schedule of examinations, in question.</li> <li>5. S.O. to 22.08.2023.</li> </ol> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) <span style="float: right;">(A.P. Kurhekar)</span> Member (A) <span style="float: right;">Member(J)</span></p> <p>vsm</p>

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

A/C.A. No. \_\_\_\_\_ of 20 \_\_\_\_\_

I N

Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Notes, Office Memoranda of Coram, appearance, Tribunal's orders or sections and Registrar's orders	Tribunal's orders
	<p>Date : 10.08.2023</p> <p style="text-align: center;">O.A.No.382 of 2017</p> <p>A. N. Gaikwad <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant time is granted to file copy of charge sheet filed by ACB in Court which is essential for hearing of this O.A.</p> <p>3. S.O. to 24.08.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Debashish Chakrabarty) <span style="float: right;">(A.P. Kurhekar)</span> Member (A) <span style="float: right;">Member(J)</span></p> <p>vsm</p>

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI.**

W.C.A. No. \_\_\_\_\_ of 20\_\_\_\_

I N

Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Notes, Office Memoranda of Coram, appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.08.2023</p> <p align="center">O.A.No.93 of 2017</p> <p>Dr. R. L. Sathe <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks' time is granted to file deposition of witnesses examined in D.E. for perusal of the Tribunal.</p> <p>3. S.O. to 24.08.2023.</p> <p align="center">Sd/- <span style="float:right">Sd/-</span></p> <p align="center">(Debashish Chakrabarty) <span style="float:right">(A.P. Kurhekar)</span> Member (A) <span style="float:right">Member(J)</span></p> <p>vsm</p>



**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

W.C.A. No. of 20

IN

Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or Directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.08.2023</p> <p style="text-align: center;">O.A.No.67 of 2017</p> <p>A. A. Janvalekar <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant sought time for final hearing stating that after long time, matter is listed for final hearing for the first time.</p> <p>3. The perusal of record also reveals that after long time, matter is listed for final hearing.</p> <p>4. S.O. to 21.08.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p>(Debashish Chakrabarty) <span style="float: right;">(A.P. Kurhekar)</span> Member (A) <span style="float: right;">Member(J)</span></p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

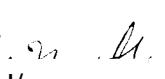
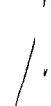
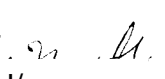
*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Tribunal's orders</b> <b>Date : 10.08.2023</b></p>
	<p><b>O.A.No.1204/2016</b></p> <p>Y.R. Angle &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. All the four retired applicants who were working as Junior Engineers challenge the order dated 23.12.2016 passed by the Respondent under which all the applicants were denied the status of Sectional Engineer on completion of 7 years service as Junior Engineers as against 10 years service on the ground of I.T.I., Aundh Pune is not in the list of Institutions contained in the Notification dated 24.09.1975 amended as 03.05.1985.</p> <p>3. Learned Advocate for the Applicant relies on letter dated 09.12.2013 where Mr. Pramod Naik, Maharashtra State Technical Education Council has written to the Director of Technical Education, M.S. Mumbai. Learned Advocate has pointed out that the Director Technical Education Board is the competent authority to decide the equivalence and he is opined that the completion of two years course of Surveyor by the Applicants at Aundh is to be treated as equivalent to 5 institutions prescribed by the State.</p> <p>4. Learned P.O. has relied on the affidavit-in-reply dated 15.06.2017 filed on behalf of Respondent through Mr. Nitin Bhanudas Khedkar, Deputy Secretary, Public Works Department, Mantralaya. In the said affidavit Respondent has relied on the following judgments :</p> <p>(i) M.A.Nos.273 &amp; 274/2007 in O.A.No.599/2007 with O.A.No.599/2007, dated 18.03.2008, Shri Yogiraj Ramu Angale &amp; Ors. Versus The State of Maharashtra &amp; Ors.</p> <p>(ii) O.A.No.279/2011, dated 18.10.2016 The Association of Sub-ordinate Service of Engineers (Maharashtra State) Versus The State of Maharashtra &amp; Ors. passed by M.A.T. Bench Aurangabad</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>(iii) O.A.No.626/2011 dated 18.10.2016, Shri Krishna Prabhu Padole Versus The State of Maharashtra passed by M.A.T. Bench Aurangabad.</p> <p>5. Learned P.O. has submitted that in the above two matters which are decided by the M.A.T. Bench Aurangabad the similar issue of equivalence was involved.</p> <p>6. Learned Advocate seeks permission to amend the O.A. by adding Higher and Technical Education Department as Respondent in the array of Respondents.</p> <p>7. Permission granted. Amendment be carried out forthwith. Issue notice to Added Respondent Higher and Technical Education Department. Applicant is directed to serve the added Respondent forthwith.</p> <p>8. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>9. Issue notice before admission returnable on 24.08.2023.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>13. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original 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.</p> <p>14. The Higher and Technical Education Department is hereby directed to answer only one query in the short affidavit whether I.T.I., Aundh Pune is equivalent to the course of Upper Subordinate Certificate.</p> <p>15. Adjourned to 24.08.2023. PH. </p> <p>Sd/-  Sd/- </p> <p><b>(Medha Gadgil)</b> <b>(Mridula Bhatkar, J.)</b>  <b>Member (A)</b> <b>Chairperson</b></p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 10.08.2023</b></p> <p><b>O.A.No.961/2023</b></p> <p>V.V. Pashte .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. 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 14.09.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> 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.</p> <p>8. Adjourned to 14.09.2023.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span></p> <p>prk</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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>09.08.2023</u></b></p> <p style="text-align: center;"><b><u>O.A 918/2016</u></b></p> <p>Kum A.S Shinde ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant challenges the order dated and 16.7.2014 and 5.12.2015 passed by the Respondent no. 1, by which the selection of the applicant for the post of Forest Guard was temporarily cancelled.</p> <p>3. Learned counsel submits that the applicant has applied from open category. However, the applicant has challenged the appointment of Kum. Suvarna H. Khutekar. It appears from the record that Kum. Suvarna H. Khutekar, is not a Party-Respondent has secured 66.71% marks, whereas the applicant has secured 65.46% marks.</p> <p>4. Learned P.O points out to the affidavit in reply dated 13.12.2016, filed by Mohan S. Dhere, Assistant Conservator of Forest, Pune and in para 2.2 of the said affidavit, it is stated that in the selection list of 2013-14 of 2 candidates was prepared against one vacancy available for Open (ladies) category. Out of 2 candidates, Kum. Suvarna H. Khutekar has secured 66.71% marks, while the next candidate, i.e., present applicant Kum. Anjana S. Shinde has secured 65.46% marks. Hence, the Respondents have justified the appointment of Kum. Khutekar. Learned P.O further submitted that one candidate Shri Prakash T. Gadge, from open category secured 66.51% marks and he was issued appointment letter dated 23.7.2014. However, he did not join within 30 days and so his appointment order lapsed w.e.f 23.8.2014. Thereafter, fresh advertisement for the post of Forest Guard in Pune was published on 14.8.2014 which is interregnum joining period of Shri Ghadge. Thus, in view of the said advertisement the earlier wait list of 2014 had lapsed and therefore, the applicant could be considered for appointment to the post of Forest Guard.</p> <p>5. The Original Application is filed on 12.9.2016. Considering the sequence of the dates mentioned in the affidavit in reply, we are of the view that the Original Application was not filed when the waiting list was alive. Moreover, no interim order was passed by this Tribunal in favour of the applicant. Thus, the post which was advertised in the year 2013, the process of the same was over and today no vacant post is available and the applicant has no right.</p> <p>6. In view of the above, the Original Application has now become infructuous and the same is disposed of.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="text-align: center;">Ako</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

**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: 10.08.2023</p> <p align="center">O.A. No.1255 of 2022</p> <p>B.R. Bightot .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.L. Adhe, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the Affidavit-in-Reply is under preparation and sought one day time.</p> <p>3. S.O. to 11.08.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 10.08.2023</p> <p align="center">C.A. No.76 of 2023 in O.A. No.110 of 2023</p> <p>P.F. Rathod .....Applicant Versus The State of Maharashtra &amp; Ors. .... Respondents.</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate both are absent.</li> <li>Shri K.B. Jadhav, learned Advocate for the Applicant has sent his leave note.</li> <li>Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>Today learned P.O. has filed Reply of Contemnor Nos.2 &amp; 3 to the Show Cause Notice issued by the Tribunal. Learned P.O. submits that retiral benefits are paid.</li> <li>Since, today none is present on behalf of the Applicant adjourned for three days for order.</li> <li>S.O. to 21.08.2023.</li> </ol> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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: 10.08.2023</p> <p align="center">C.A. No.80 of 2023 in O.A. No.729 of 2019</p> <p>Dr. S.V. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This Contempt Application is filed for disobedience of the order passed by the Tribunal on 15.02.2023 in O.A. No.729/2019.</p> <p>3. Issue notice to the Contemnor to Show Cause as to why action for contempt of order passed by the Tribunal should not be initiated against them as per Contempt of Court Act, 1971.</p> <p>4. S.O. to 04.09.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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>Date: 10.08.2023</p> <p align="center">O.A. No.82 of 2017</p> <p>D.K. Khairnar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.S. Gaikwad, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri K.R. Jagdale, learned Advocate for the Respondent Nos.3 to 14.</p> <p>2. On previous date learned C.P.O. filed Affidavit-in-Reply of MPSC giving details of the candidates subsequently recommended and appointed. Now learned Advocate for the Applicant is required to take steps to join them in the O.A.</p> <p>3. Two weeks time is granted to file M.A. to implead those persons in O.A.</p> <p>4. S.O. to 22.08.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.710 of 2023</u></p> <p>Nirmala S. Kumbar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, 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 permission to reconstruct the OA for the office of this Tribunal as the matter is misplaced.</p> <p>3. Permission to reconstruct granted.</p> <p>4. S.O. to 11.8.2023.</p> <p align="right">Sd/-</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 10.8.2023</p> <p align="right">(Mridula Bhatkar, J.) Chairperson 10.8.2023</p> <p>(sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.386 of 2022</u></p> <p>R.P. Satpute ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. By order dated 5.4.2023 this Tribunal had directed the respondents to fix the deemed date of the applicant.</p> <p>3. Ld. PO on instructions submits that Section Officer of the PWD has sent a letter to Superintending Engineer, PWD, Pune that case of the applicant for giving deemed date was considered by the Government and prima facie it is found that applicant is not eligible for deemed date. However, certain documents are required to be scrutinized along with the proposal. Therefore, prime facie opinion is given.</p> <p>4. Thus, the respondent-State is required to take final decision and it is to be reported to this Tribunal within four weeks.</p> <p>5. S.O. to 6.9.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 10.8.2023 (sgi)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 10.8.2023</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.605 of 2016</u></p> <p>A.A. Tambe ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply to the amended OA.</p> <p>3. S.O. to 22.8.2023.</p> <p style="text-align: center;">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 10.8.2023 10.8.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.649 of 2023</u></p> <p>S.N. Bade &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The above matter is already adjourned on board and the next date of 18.8.2023 is given. However, at the request of Ld. Advocate for the applicants the matter is taken on board.</p> <p>3. Ld. Advocate for the applicants submits that the DPC for the post of Dy. Director, School Education was held on 7.8.2023 and promotion orders for 6 posts of Dy. Director are likely to be issued. He, therefore, prays for interim relief that until the matter is heard, no promotion orders be issued.</p> <p>4. Ld. CPO opposes for grant of this interim relief. Ld. CPO, on telephonic instructions from Vijay Bhosale, Under Secretary, submits that promotion orders are not likely to be issued till end of August, 2023.</p> <p>5. We keep this matter on 22.8.2023 and direct that if at all promotion orders are issued it will be subject to outcome of this OA.</p> <p>6. S.O. to 22.8.2023. .. Sd/- _____</p> <p align="center">Sd/- /</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 10.8.2023 10.8.2023</p> <p>(sgj)</p>