

**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><u>10.10.2022</u></p> <p><u>M.A 39/2022 in O.A 969/2021</u></p> <p>Shri P.P Bhosale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.B Thorat, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed, subject to payment of court fees, if not already paid.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) <small>Akn</small></p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

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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 align="center">Date : 10.10.2022</p> <p align="center">O.A.No.326 of 2020</p> <p>A.S. RautApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. Suhan Deokar, learned Advocate for Respondent No.1</p> <p>2. Learned P.O. submits that she will file affidavit-in-reply during the course of the day. It be taken on record. Copy be served upon learned Advocate for the Applicant.</p> <p>3. Admit. Adjourned to 28.11.2022 for rejoinder, if any.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


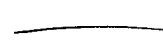
(Advocate

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><u>10.10.2022</u></p> <p><u>O.A 280/2022</u></p> <p>Shri G.G Daga & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.V Waghmare, learned advocate for the Intervenors and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel Shri Waghmare submits that he has not received the amended copy of the Original Application wherein the intervenors are added in the array of Respondents 3 to 8.</p> <p>3. S.O to 18.10.2022.</p> <p>Sd/-  Sd/- </p> <p>(Medha'Gadgil) Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The Respondent-State cannot take a stand once the name is recommended by MPSC. It is obligatory on the part of the State to recommend the same candidate even though there is a judicial order passed with reason when the said recommendation is not as per the law of the land.</p> <p>6. Under such circumstances, we hereby direct the Secretary, Medical Education and Drugs Department to file an affidavit on 14.10.2022 specifying whether one post of Assistant Commissioner of Drugs for which the advertisement was issued is vacant.</p> <p>7 S.O to 14.10.2022.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

ORIGINAL APPLICATION NO.617 OF 2022

Shri Devidas Bhagwanrao Gore)
Aged : 56 years, working as Joint Director,)
Industrial Safety and Health, having office in the)
Office of Director, Industrial Safety and Health)
Kamgar Bhavan, Bandra (E), Mumbai 51.)
R/o. Mangala CHS Ltd., Gandhinagar)
Kalanagar, Bandra (E), Mumbai 51)... **Applicant**

Versus

1. The State of Maharashtra,)
Through the Principal Secretary,)
Industries (Labour), Energy and Labour)
Department, having office at Mantralaya)
Mumbai 400 032)
2. Shri M.R. Patil,)
Aged : Adult, working as Joint Director,)
Industrial Safety and Health, Nashik)... **Respondents**

Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant.

Smt. Kranti S. Gaikwad, learned Presenting Officer for the Respondent No.1.

Shri Makarand D. Lonkar, learned Advocate for the Respondent No.2.

CORAM : A.P. KURHEKAR, MEMBER(J)

DATE : 10.10.2022.

ORDER

1) Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent No.1 and Shri M.D. Lonkar, learned Advocate for the Respondent No.2.

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2) The Applicant has challenged order dated 22.06.2022 whereby on promotion he was posted as Additional Director, Industrial Safety and Health, Nagpur *inter-alia* contending that he being senior most, he ought to have been retained at Mumbai on promotion as per his representation but it was given to Respondent No.2 who is junior to him.

3) This matter was heard for quite some time and one of the submission advanced by Shri M.D. Lonkar, learned Advocate for the Applicant was that his client is retiring at the end of May 2023 and considering it, if O.A. is allowed on merit in that event Respondent No.2 be allowed to continue at Mumbai till his retirement and thereafter Government can consider posting the Applicant at Mumbai. In view of the submission, possibility was explored by the Tribunal directing to learned P.O. to take instruction from the Government as to whether the Government is willing to post the Applicant at Mumbai after retirement of Respondent No.2.

4) It is in response to it, learned P.O. tendered letter issued by the Government dated 07.10.2022 and the contents are as under:-

“२. श्री.मु.र.पाटील हे दि.३१.०५.२०२३ रोजी व श्री.दे.भ.गोरे हे दि.३१.०५.२०२४ रोजी नियतवयोमानानुसार शासन सेवेतून सेवानिवृत्त होणार आहेत. संदर्भाधीन पत्रान्वये कळविल्यानुसार सदर न्यायालयीन प्रकरणी दि.२९.०९.२०२२ रोजी सुनावणी झाली. तसेच, श्री.मु.र.पाटील यांच्या सेवानिवृत्तीनंतर (दि.३१.०५.२०२३) श्री.दे.भ.गोरे यांचा अपर संचालक, मुंबई या पदावरील पदस्थापनेसाठी विभागाकडून विचार केला जाईल किंवा कसे, याबाबत मा.न्यायाधिकरणाने सुनावणी दरम्यान विचारणा केली.

३. यानुषंगाने, मला आपणांस असे कळविण्याचे निर्देश आहेत की, श्री.मु.र.पाटील, अपर संचालक, मुंबई यांच्या सेवानिवृत्तीनंतर श्री.दे.भ.गोरे, अपर संचालक, नागपूर यांच्या अपर संचालक , मुंबई या पदावर बदलीबाबत त्यांनी विनंती केल्यास सेवाजेष्ठतेनुसार विचार करण्यात येईल. सदर बाब पुढील सुनावणी दरम्यान मा. न्यायाधिकरणाच्या निदर्शनास आणावी, ही विनंती.”

5) Learned P.O. therefore submits that O.A. be disposed of since the Applicant's claim for posting at Mumbai will be considered after retirement of Respondent No.2 - Shri M.R. Patil.

6) Whereas, Shri A.V. Bandiwadekar, learned Advocate for the Applicant expressed apprehension that there is no such commitment by Government to post him at Mumbai after retirement of Respondent No.2. He further submits that if after the retirement of Respondent No.2 the Government will consider it positively then O.A. be disposed of on the basis of letter dated 07.10.2022.

7) Though the matter is not being decided on merit, it would be apposite to note here that undisputedly at the time of giving posting to the Applicant and Respondent No.2, matter was not placed before C.S.B. as mandated in terms of decision by Hon'ble Supreme Court in **(2013) 15 SCC 732 (T.S.R. Subramanian and Ors. Vs. Union of India & Ors.)**. An attempt was made to show that initially only one post of Nagpur was available, and there was no necessity of holding C.S.B. meeting. However, this submission is fallacious since no such final order of giving posting to the Respondent No.2 at Nagpur was issued at the relevant time. In the mean time, post of Mumbai also fall vacant, and thereafter matter was processed for giving post to the Applicant as well as Respondent No.2. Thus factually, when the matter was later processed there were two posts, and therefore matter ought to have been placed before C.S.B. Indeed, in file noting (Page 80 of Paper Book) picture was projected before Principal Secretary that C.S.B. has given approval and based on it Hon'ble Chief Minister also gave approval to the posting of Respondent No.2 at Mumbai. Whereas, infact matter was not at all placed before C.S.B. Later to salvage the damage Affidavit was filed by Respondent through Shri Ashok S. Mande, Under Secretary that the reference of C.S.B. approval in the noting dated 20.06.2022 was made inadvertently. Be that as it may, fact remains that when final orders of posting were issued by the Government, there were two vacancies one each at Nagpur and Mumbai and therefore the matter ought to have been placed before the C.S.B. before issuance of final order of posting.



8) It is on the above background, the Tribunal explored the possibility of giving posting to the Applicant at Mumbai after retirement of Respondent who is going to retire at the end of May 2023. Accordingly, the Government tendered letter dated 07.10.2022 which is referred to above.

9) Though there is no such positive commitment in letter dated 07.10.2022, the Tribunal hope and believe that the Applicant being senior most he would be given posting at Mumbai. He shall make representation before two months of retirement of Respondent No.2 and it should be considered positively in terms of letter dated 07.10.2022.

10) No order as to costs.

r. 1.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

Place: Mumbai
Date: 10.10.2022
Dictation taken by: N.M. Naik.

**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: 10.10.2022</p> <p align="center">O.A. No.917 of 2022</p> <p>N.M. RathodApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This is 2nd round of litigation seeking direction to release retiral benefits i.e. gratuity and regular pension. The Applicant stands retired on 30.04.2021 but his retiral benefits is withheld because of D.E. which was initiated in 2011 because of alleged mis-conduct / negligence committed in 2004. Thus though D.E. was initiated in 2011, no further steps were taken to complete the same and it was continued even after retirement.</p> <p>3. It is on the above background, the Applicant had initially filed O.A. No.705/2021 for direction to release retiral benefits which was disposed of by the Tribunal on 28.09.2021 giving direction to complete D.E. including passing final order within three months from the date of order.</p> <p>4. Regrettably, no compliance was made, and therefore the Applicant has again filed this O.A. for the same relief. Indeed, the Applicant ought to have filed Contempt proceeding since <i>prima-facie</i> there is willful disobedience of the order passed by the Tribunal. Therefore Tribunal directed disciplinary authority i.e. Inspector General of Registration and Controller of Stamps, Pune to file Affidavit and to explain the delay.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Today Shri Shravan Hardikar, Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune has filed Affidavit and tendered unconditional apology for delay in completion of D.E. In Affidavit he further stated that initially one enquiry officer was appointed who delayed the matter despite several reminders, and thereafter fresh enquiry officer was appointed in 2016. Disciplinary authority had issued remainder to the enquiry office but in vain. Respondent No.2 in Affidavit therefore sought six weeks time for completion of Departmental enquiry and passing final order.</p> <p>6. Shri M.D. Lonkar, learned Advocate for the Applicant submits that four weeks time be granted for passing final order in D.E. He does not want to go for Contempt proceedings.</p> <p>7. Indeed, Respondent No.2 was obliged to file M.A. for extension of time for completing D.E. Shri M.D. Lonkar, learned Advocate for the Applicant stated that this O.A. itself be treated as M.A. for extension on behalf of Respondent No.2 so that matter should be taken on logical conclusion without further delay.</p> <p>8. In view of above, four week time is granted from today for completion of D.E. including passing final order therein. Enquiry be conducted day to day.</p> <p>9. On passing of final order in D.E., retiral benefits of the Applicant subject to order passed in D.E., be released within four weeks thereafter.</p> <p>10. No order as to costs.</p> <p style="text-align: right;">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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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: 10.10.2022</p> <p align="center">O.A. No.897 of 2022</p> <p>H.R. KanojApplicant 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. Today learned P.O. has filed Affidavit-in-Rejoinder on behalf of the Respondent. It is taken on record. However, perusal of record reveals that the Annexure are incomplete. In Affidavit-in-Reply it is stated that review is taken on 30.05.2022, 30.06.2022 and 13.09.2022, whereas, as per Annexure documents of review pertain to meeting dated 30.09.2022.</p> <p>3. In view of above discrepancies, learned P.O. is directed to file additional Affidavit of the Superintendent of Police, Nashik (Rural) explaining the discrepancies as noted above and also produce the record of minutes of concerned Review Committee.</p> <p>4. Affidavit-in-Reply should be filed by the Superintendent of Police, Nashik (Rural) and nobody else.</p> <p>5. S.O. to 12.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 10.10.2022</p> <p>O.A. No.313 of 2022</p> <p>S.B. MulaniApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged transfer order dated 20.05.2022 whereby he is shown temporarily transferred from Local Crime Branch, Sangli to Police Headquarter, Sangli <i>inter-alia</i> contending that it is in contravention of provision of Maharashtra Police Act. When the matter is taken up for hearing, learned P.O. has tendered letter dated 02.08.2022 issued by the Superintendent of Police, Sangli wherein he stated that the Applicant had made request to transfer him to Local Crime Branch or Kurlap Police Station and it is under consideration to transfer the Applicant at Kurlap Police Station. Copy of letter is taken on record and marked as letter 'X' for identification.</p> <p>3. Learned P.O. on instruction further submits that within a week necessary order for transfer of the Applicant at Kurlap Police Station will be issued.</p> <p>4. Shri U.V. Bhosle, learned Advocate for the Applicant submits that his client will be satisfied if he is posted at Kurlap Police Station as agreed by the Superintendent of Police, Sangli in letter dated 02.08.2022.</p> <p>5. In view of above, O.A. is disposed of with direction to Respondent to issue transfer order of the Applicant at Kurlap Police Station within a week and relieve him accordingly.</p> <p>6. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.983/2021</u></p> <p>Shri P.G. Kokitkar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for Respondents is present.</p> <p>2. Today learned P.O. has filed Affidavit-in-reply to the original O.A, but has not filed reply to the amendment made by the Applicant in O.A.</p> <p>3. On the request of learned P.O, one day time is granted to file Affidavit-in-reply to the amendment made by the Applicant in O.A.</p> <p>4. S.O. to 11th October, 2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 10.10.2022</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"><u>O.A. No.389 of 2017</u></p> <p>Banty P. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant has applied for the post of Police Constable in response to advertisement dated 23.2.2017 for the post reserved for Project Affected Persons (PAP) from open category. In this OA, applicant challenges appointment of respondent no.3-Shri Darshan Sharad Mhatre, who is appointed on the post reserved for PAP though he does not belong to Open category but to OBC category. He, therefore, prays that name of respondent no.3 is to be deleted and name of the applicant is to be added in the select list and he is to be appointed on the post of Police Constable reserved for PAP from open category.</p> <p>3. Ld. Advocate for the applicant pointed out advertisement dated 23.2.2017 wherein out of total 7 posts which were reserved for PAP category, 5 posts were available for Open and one post was available for SC and one post was available for OBC category. Ld. Advocate for the applicant pointed out the provisional select list of the open category issued by the respondents. Ld. Advocate submits that applicant has secured 179 marks. He pointed out that candidates at Sr. No.5, 29, 30 & 31 are from open category and they have secured higher marks than the applicant. However, respondent no.3 is shown selected at Sr. No.32 though he belongs to OBC category and has applied in PAP category. Ld. Advocate submits that name of respondent no.3 should have been deleted as he is not from open category and therefore he can be appointed only from OBC category.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Ld. CPO opposes this OA relying on the judgment of the Hon'ble Supreme Court in Saurav Yadav & Ors. Vs. State of U.P. & Ors. MA No.2641/2019 in SLP No.23223/2018 decided on 18.12.2020.</p> <p>5. Considering the facts of the case in the light of ratio laid down by the Hon'ble Supreme Court in Saurav Yadav (supra) wherein horizontal reservation is allowed on the basis of merit, there is no substance in the present OA and the same deserves to be dismissed.</p> <p>6. OA is dismissed. No order as to costs.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.)</p> <p style="text-align: center;">Member (A) Chairperson</p> <p style="text-align: center;">10.10.2022 10.10.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.10.2022</p> <p>M.A.No.366 of 2022 in O.A.No.459 of 2022</p> <p>V.B. Mahajan & Ors.Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicants in M.A.No.366/2022, Mr. Hitesh Sangle, learned Advocate holding for Mr. Chitale, learned Advocate for the Applicants in O.A.No.459/2022 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Suo moto speaking to minutes. In order dated 19.05.2022, at paragraph 5, the word 'accept' be read as 'except'.</p> <p>3. Learned Advocate Mr. Dere has filed M.A.No. 366/2022 in the present O.A. for intervention to allow Applicants in M.A.No.366/2022 to be added as Party Respondents in O.A.No.459/2022</p> <p>4. Applicants in O.A.No.459/2022 have sought interim relief for not publishing the result of the examination which is conducted for the post of Assistant Section Officer. However, we have not granted interim relief, but we have passed the order that the result and appointments shall be subject to outcome of this O.A.</p> <p>5. Learned C.P.O. informs that the result is declared on 15.06.2022 and the date of subsequent examination is also declared by advertisement dated 29.09.2022.</p> <p>6. M.A. is filed by the intervenor opposing interim relief claimed by the Applicants in O.A. However, as the result is declared and the Applicants have also joined, nothing survives in the M.A.</p> <p>7. Decision in this O.A. is, prima facie, not going to adversely affect the applicants. Hence, we are of the view that nothing survives in the intervention application, hence M.A. stands disposed of.</p> <p>8. O.A. adjourned to 28.11.2022.</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>

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

Tribunal's orders

O.A. No.993 of 2022

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

Heard Shri R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief 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 28.11.2022. 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/-

Sd/-

(Medha Gadgil)
Member (A)
10.10.2022

(Mridula Bhatkar, J.)
Chairperson
10.10.2022

(sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.10.2022</p> <p>C.A.No.47 of 2021 in O.A.No.280 of 2017 with O.A.No.241 of 2019</p> <p>V.V. Punathil ...Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Learned Advocate states that by order dated 25.08.2022 the office of Accountant General has approved the pension and other dues of the Applicant. However, the applicant is yet to receive dues. Learned Advocate seeks permission to make District Treasury Officer, Satara as party Respondent in the array of Respondents. Amendment to be carried out forthwith. 3. Issue notice before admission to added Respondent. 4. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 5. Issue notice before admission returnable on 13.10.2022. 6. 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. 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 8. 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. 9. 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/ Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 10. Adjourned to 13.10.2022. <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>

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.992 of 2022</u></p> <p>Jayshree P. More ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Ms. Deepti D. Manvatkar, 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 28.11.2022. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 10.10.2022 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 10.10.2022</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 : 10.10.2022</p> <p>M.A.No.441 of 2022 in O.A.No.729 of 2022</p> <p>G.N. Jadhav & Ors.Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Time granted to learned Advocate to file affidavit-in-rejoinder.</p> <p>3. Adjourned to 14.11.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

Date : 10.10.2022

**M.A.No.586 of 2022 in O.A.No.613 of 2020 with
M.A.No.587 of 2022 in O.A.No.541 of 2020
O.A.No.51 of 2022**

S.N. Swami & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

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

2. M.A.No.585/2022 in O.A.No.508/2020 not on board. Suo moto taken on board at the request of learned Advocate.

3. M.A.No.586/2022, M.A.No. 587/2022 and M.A.No.585/2022 are moved for hearing of matters expeditiously.

4. Learned Advocate submits that the matters are pertaining to dismissal under Article 311 of the Constitution. However, requirement of Article 311 are not complied with hence, challenged. She further prays that all four matters are to be heard together as the issue is one and the same, based on the judgment of Honble Supreme Court in the case of **Union of India & Anr. V/s. Tulsiram Patel** reported in 1985 (072) AIR 1416 S.C.


5. These matters are of the year 2020 and regarding dismissal from service, hence, adjourned to 10.11.2022.

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 style="text-align: center;"><u>O.A. No.934 of 2022</u></p> <p>U.B. Sagbhor ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant was appointed as Agriculture Officer, Class-II on 27.10.1997 and a proposal was sent on 10.7.2015 for exemption from passing Accounts Examination due to crossing age of 45 years. However, his services were terminated by order dated 13.5.2022 for not passing the examination within prescribed period without holding DE.</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 14.11.2022. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. 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 seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- Sd/- </p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 10.10.2022 10.10.2022</p> <p>(sgj)</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 align="center">Date : 10.10.2022</p> <p align="center">O.A.No.251 of 2020</p> <p>R.R. PolApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate adjourned to 14.11.2022 for filing rejoinder.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p align="center">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>Date : 10.10.2022</p> <p>O.A.No.808 of 2022</p> <p>A.B. DhendeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Interim relief to be continued till next date. Time granted to learned C.P.O. to file reply.</p> <p>3. Adjourned to 19.10.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (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>Date : 10.10.2022</p> <p>O.A.No.821 of 2022</p> <p>S.D. Inamdar & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. B.A. Khopade, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. O.A.No.821/2022 is to be clubbed along with Group matters in O.A.No.814/2022 & Ors. which is on today's board under the caption 'For Final hearing'.</p> <p>3. Adjourned 18.10.2022 along with O.A.No.814/2022 with M.A.No.512/2022 With O.A.No.280/2022 With O.A.No.281/2022 With O.A.No.832/2022 with M.A.No.502/0222 under the caption 'Final Hearing' (P.H.).</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p style="text-align: center;">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>Date : 10.10.2022</p> <p>O.A.No.5 of 2022</p> <p>A.Y. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. Archana B.K, learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit. Adjourned to 12.12.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) 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>Date : 10.10.2022</p> <p align="center">O.A.No.114 of 2022</p> <p>A.N. DhondeApplicant Vs. The State of Maharashtra & 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. Learned Advocate files rejoinder. Taken on record.</p> <p>3. Admit. Adjourned to 05.12.2022.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) 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>Date : 10.10.2022</p> <p align="center">O.A.No.253 of 2022 to O.A.No.258 of 2022</p> <p>S.L. Salukhe & Ors.Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Last chance was granted to learned P.O. to file reply. No reply is filed even today.</p> <p>3. Learned P.O. informs that the Government has not approved the affidavit and hence she could not file reply.</p> <p>4. By way of last chance adjourned to 04.11.2022.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(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 Date : 10.10.2022
	<p align="center">O.A.No.468 of 2022</p> <p>V.A. BhosaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. R.A. Naik, learned Advocate for Respondent No.4.</p> <p>2. Learned Advocate appearing for Respondent No.4 files affidavit-in-reply today. Taken on record. Copy served upon the concerned.</p> <p>3. Adjourned to 05.12.2022 for rejoinder, if any.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">Sd/-</p> <p 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>Date : 10.10.2022</p> <p align="center">O.A.No.625 of 2022</p> <p>S.D. AkaleApplicant Vs. The State of Maharashtra & 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. Learned P.O. informs that the file is still not approved. It appears that the file is still pending in the office of Hon'ble Deputy Chief Minister.</p> <p>3. Adjourned to 13.10.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) 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 align="center">Date : 10.10.2022</p> <p align="center">O.A.No.145 of 2021</p> <p>N.P. Chaudhari & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate is hereby directed to produces letter dated 11.04.2022 regarding grant of deemed date.</p> <p>3. Learned C.P.O. is directed to furnish G.R. dated 22.08.1982. Learned C.P.O. informs that out of these six applicants, two applicants namely Applicant No.2, Dattatraya S. Shinde has cleared the examination and Applicant No.6. Hrishikesh B. Adhikari has not been exempted from passing the Marathi language examination and the other four applicants could not be given deemed date on the ground that they did not clear examination before the date of DPC dated 28.01.2021 Applicants seeks deemed date as on 23.02.2021.</p> <p>4. Adjourned to 17.10.2022.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p align="left">prk</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: 10.10.2022</p> <p align="center">O.A. No.635 of 2022</p> <p>M.B. MahajanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. Adjourned for hearing.</p> <p>4. S.O. to 03.11.2022.</p> <p align="right">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>Date: 10.10.2022</p> <p align="center">O.A. No.573 of 2022</p> <p>B.T. LoharApplicant 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. Today learned P.O. has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. S.O. 07.11.2022.</p> <p align="right">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>Date: 10.10.2022</p> <p align="center">O.A. No.674 of 2022</p> <p>V.D. SuryawanhiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent No.1 and Shri U.V. Bhosle, learned Advocate for the Respondent No.2.</p> <p>2. Today learned P.O. sought permission to file Affidavit-in-Reply on behalf of Respondent No.1 since the matter is already proceeded without Reply.</p> <p>3. In the interest of justice, allowed to file Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record.</p> <p>4. Learned P.O. sought adjournment stating that Shri A.J. Chougule, learned P.O. who is in-charge of the matter is unable to remain present due to personal difficulties.</p> <p>5. S.O. to 12.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application 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: 10.10.2022</p> <p align="center">O.A. No.636 of 2022</p> <p>K.S. KadlagApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. On instruction learned P.O. submits that matter is placed before the review committee which is scheduled on 12.10.2022 and requested for time. 3. Adjourned to 13.10.2022 so by that time review committee will take appropriate decision. 4. Learned P.O. is directed to appraise the Tribunal about the decision of review committee on 13.10.2022. 5. S.O. to 13.10.2022. <p align="right">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>Date : 10.10.2022</p> <p align="center">O.A.No.1076 /2019 with O.A.1077/2019 with O.A.1078/2019 with O.A.134/2019 with O.A.266/2019 with O.A.461/2019</p> <p>T. R. Wagh & Ors. ...Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matters are adjourned for hearing.</p> <p>3. S.O. to 17.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p align="center">O.A.No.153 of 2022</p> <p>R. G. SaindaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 14.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p>O.A.No.1174 of 2019</p> <p>V. V. PanseApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryavanshi, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted to file reply to amendment made in O.A.</p> <p>3. S.O. to 18.10.2022.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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 : 10.10.2022</p> <p>O.A.No.495 of 2022</p> <p>K. K. KambleApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that matter is being handled by learned P.O. Shri A. J. Chougule but he is unable to remain present today and sought adjournment.</p> <p>3. S.O. to 10.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p align="center">O.A.No.998, 999 & 1000 of 2022</p> <p>P. R. Arage S.G. Koli V.B. Koli</p> <p align="right">....Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Perusal of record reveals that all these Applicants have already filed O.A.Nos.683/2020, 684/2020 and 685/2020 before the Division Bench challenging the order of taking them on supernumerary post. After filing of the said O.As, the Applicants stand retired but are not paid retiral benefits, and therefore, filed these OAs.</p> <p>3. The Original Applications filed before the Division Bench is subjudice and interim relief is granted by order dated 26.11.2020.</p> <p>4. Since the Applicants have already filed OAs referred to above and again filed these fresh OAs for retiral benefits, it is necessary to see whether these OAs can be heard by Single Bench separately or can be heard along with OAs which are subjudice before the Division Bench.</p> <p>5. In view of above, the Registrar is directed to seek necessary orders of the Hon'ble Chairperson and do the needful.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="right">[P.T.O.]</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 : 10.10.2022</p> <p align="center">O.A.No.175 of 2020</p> <p>M. J. MohiteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri P. S. Bhavake, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed in default on 24.08.2022 but restored today in view of the order passed in M.A.No.581/2022.</p> <p>3. Pleading in this O.A. is complete and it be kept for final hearing.</p> <p>4. S.O. to 07.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p align="center">M.A. No.581 of 2022 in O.A.No.175 of 2020</p> <p>M. J. MohiteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri P. S. Bhavake, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay of 10 days delay and for restoration of O.A.No.175/2020 which was dismissed in default on 24.08.2022.</p> <p>3. Learned Counsel for the Applicant submits that inadvertently he was^{is} remained absent on 24.08.2022 and, therefore, requested to restore the O.A. for decision on merit.</p> <p>4. In the interest of justice, M.A. is allowed and O.A. is restored to file so as to decide the O.A. on merit.</p> <p>5. M.A. is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p style="text-align: center;">O.A.No.1004 of 2022</p> <p>R. N. BadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is Police Constable presently serving on the establishment of C.P. Mumbai and seeking direction to relieve him so as to join the establishment of Respondent No.2 – C.P. Pimpri-Chinchwad in view of Inter District Policy. The Respondent No.2 had given approval to absorb him by communication dated 29.06.2022. However, the Respondent No.1 has not relieved him.</p> <p>3. Later, the Respondent No.1 issued police notice dated 11.08.2022 that for six months he will not accept the request for relieving the Police Constables in terms of Inter District Policy. Therefore, the Applicant has filed this O.A and sought interim relief to keep one post vacant in the establishment of C.P. Pimpri-Chinchwad.</p> <p>4. In the morning session, learned P.O. was directed to take instructions from Respondent No.2 as to whether the post on which the Applicant was to be absorbed is still vacant.</p> <p>5. Learned P.O. on instructions submits that the post on which the Applicant was to be absorbed is still vacant <i>[P.T.O.]</i></p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Learned Counsel for the Applicant sought interim relief since he apprehended that ^{it} his client is not ^{relieved} reliving within reasonable time, the Respondent No.2 would fill in the vacancy and in that event his claim would be frustrated. I find merit in the submission insofar as interim relief is concerned.</p> <p>7. In view of above, interim relief in terms of prayer clause 10(c) is granted.</p> <p>8. The office objection, 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 03.11.2022.</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 M.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 / Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>14. S.O. to 03.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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 : 10.10.2022</p> <p align="center">O.A.No.868 of 2022 With O.A.No.989 of 2022</p> <p>A. D. Magare & Ors. R. S. Neware & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicants and Smt. Kranti Gaikwad holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought time to file reply in both the Original Applications.</p> <p>3. Learned Counsel for the Applicants has pointed out that there is interim relief in O.A.989/2022 and it needs to be continued.</p> <p>4. Two weeks time is granted to file reply.</p> <p>5. Interim relief in O.A.989/2022 is continued till next date.</p> <p>6. S.O. to 03.11.2022.</p> <p align="right"> [^] Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</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 : 10.10.2022</p> <p align="center">O.A.No.856 of 2022</p> <p>E. V. NaikApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. on instructions states that Civil Services Board has already made recommendation for giving posting to the Applicant as Naib Tahasildar (Election), Tal. Panvel, Dist. Raigad. Now, the file is under processed for orders from competent authority.</p> <p>3. One week time is granted to take necessary steps.</p> <p>4. S.O. to 17.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p align="center">O.A.No.858 of 2022</p> <p>R. R. Rane & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that Affidavit-in-Rejoinder will be filed during the course of the day. The statement is accepted. It be taken on record.</p> <p>3. Interim relief to continue till next date.</p> <p>4. O.A. be kept for hearing at the stage of admission.</p> <p>5. S.O. to 09.11.2022.</p> <p align="right">  Sd/-  (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

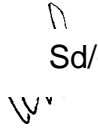
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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 : 10.10.2022</p> <p align="center">O.A.No.862 of 2022</p> <p>M. A. G. Shaikh & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is for filing Rejoinder but the same is not filed.</p> <p>3. O.A. is adjourned for hearing at the stage of admission with liberty to Applicant to file Rejoinder in the meantime.</p> <p>4. S.O. to 16.11.2022.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</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 : 10.10.2022</p> <p align="center">M. A. No.228 of 2022 in O.A.No.310 of 2022</p> <p>S. S. ThakurApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryavanshi, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 17.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p align="center">R.A. No.18 of 2022 in O.A.No.188 of 2022</p> <p>S. P. KalgutkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted to file reply.</p> <p>3. S.O. to 17.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 10.10.2022</p> <p align="center">O.A.No.798 of 2022</p> <p>A. B. LondheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Enough chances are granted to learned P.O. but reply is not filed. Hence, I am not inclined to grant further time.</p> <p>3. O.A. be kept for hearing at the stage of admission without reply.</p> <p>4. S.O. to 07.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 10.10.2022</p> <p align="center">O.A.No.995 of 2022</p> <p>V. R. DhopaokarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. R. Kulkarni holding for Shri R. L. Kulkarni, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired on 31.05.2021 but has not paid his regular retiral benefits, and therefore, approached this Tribunal.</p> <p>3. According to learned Counsel for the Applicant, there is no initiation of D.E. or criminal prosecution against the Applicant so as to withhold the retiral benefits. Further, he has raised grievance for stopping provisional pension onward May, 2022.</p> <p>4. Learned P.O. is directed to take instructions from the Respondent No.3- C.P. Mumbai as to why retiral benefits are withheld and apprise the Tribunal on next date so as to disposed of the O.A. expeditiously.</p> <p>5. In the meantime, the office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 04.11.2022.</p> <p>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.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 align="right">[P.T.O.]</p>

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

Tribunal's orders

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

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

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

11. S.O. to 04.11.2022.

^
Sd/-

(A.P. Kurhekar)
Member(J)

vsm