



**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>10.12.2021</u></b></p> <p align="center"><b><u>M.A 467/2021 in O.A 860/2017</u></b></p> <p>Shri S.S Bhosle ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that he is not pressing the Misc Application.</p> <p>3. Misc Application is accordingly disposed of.</p> <p align="center">Sd/-  <span style="margin-left: 200px;">Sd/- </span></p> <p align="center"><b>(Medha Gadgil)</b> <span style="margin-left: 200px;"><b>(Mridula Bhatkar, J.)</b></span> <b>Member (J)</b> <span style="margin-left: 200px;"><b>Chairperson</b></span></p> <p>Akn</p>

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	<p><b>Date : 10.12.2021</b></p> <p align="center">684 <b>O.A.No.799 of 2021</b></p> <p>U.R. Shinde &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad., learned Presenting Officer for the Respondents.</p> <p>2. Mr. A.A. Siddiquie &amp; Assoc. learned Advocate for the Applicant is absent.</p> <p>3. The learned P.O. produces the order dated 26.10.2021 and submits that in the O.A. the Applicant has challenged the Departmental Enquiry. The copy of order be taken on record and marked as Exhibit-A. The said D.E. is complete and the order is passed, so nothing remains in this O.A.</p> <p>4. Today learned Advocate is not present. Matter is adjourned to 13.12.2021 for his appearance, otherwise the matter will be disposed of as it has become infructuous.</p> <p align="center">Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

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	<p><b>Date : 10.12.2021</b></p> <p><b>O.A.No.868 of 2021</b></p> <p>A.R. Wakde &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Mr. U.V. Bhosle, learned Advocate for the Applicant and Ms. K.S. Gaikwad., learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate submits that the issue is mainly against RespondentNo.4, Finance Department as it is pertaining to Time Bound Promotion.</p> <p>3. Adjourned to 07.01.2022.</p> <p>Sd/- / Sd/-</p> <p><b>(Medha Gadgil)</b> <b>Member(A)</b></p> <p><b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>

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	<p><b><u>10.12.2021</u></b></p> <p align="center"><b><u>M.A 299/2021 in O.A 370/2021</u></b></p> <p>Shri R.A.R Sheikh ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Hrishikesh Chitley, learned advocate for the applicant and Ms Swati Manchekear, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that he has collected copy of the affidavit in reply filed by the Respondents and seeks time to file rejoinder, if required.</p> <p>3. Learned counsel further submits that compilation of the judgments which he is relying on will be given to the learned C.P.O during the course of the day.</p> <p>4. Interim relief to continue till next date.</p> <p>5. S.O to 14.1.2022.</p> <p align="center">Sd/- <b>(Medha Gadgil)</b> Member (J)</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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	<p><b><u>10.12.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 860/2017</u></b></p> <p>Shri S.S Bhosle ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Original Application be placed for final hearing on 13.1.2022.</p> <p style="text-align: center;">Sd/- <span style="margin-left: 200px;">Sd/-</span></p> <p><b>(Medha Gadgil)</b> <span style="margin-left: 200px;"><b>(Mridula Bhatkar, J.)</b></span> <b>Member (J)</b> <span style="margin-left: 200px;"><b>Chairperson</b></span></p> <p>Akn</p>

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

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	<p align="center"><b><u>10.12.2021</u></b></p> <p align="center"><b><u>O.A 995/2021</u></b></p> <p>Shri M.D Saste ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Issue notice made returnable on 14.1.2022.</p> <p>3. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>4. 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>5. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>6. S.O to 14.1.2022.</p> <p align="center">Sd/-  Sd/- </p> <p align="center"><b>(Medha Gadgil)</b> <b>Member (J)</b></p> <p align="center"><b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>Akn</p>

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	<p><b>Date : 10.12.2021</b></p> <p style="text-align: center;"><b>O.A.No.684 of 2021</b></p> <p>D.D. Sonune .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad., learned Presenting Officer for the Respondents.</p> <p>2. Mr. A.A. Siddiquie &amp; Assoc. learned Advocate for the Applicant is absent.</p> <p>3. The learned P.O. produces the order dated 26.10.2021 and submits that in the O.A. the Applicant has challenged the Departmental Enquiry. The copy of order be taken on record and marked as Exhibit-A. The said D.E. is complete and the order is passed, so nothing remains in this O.A.</p> <p>4. Today learned Advocate is not present. Matter is adjourned to 13.12.2021 for his appearance, otherwise the matter will be disposed of as it has become infructuous.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p><b>(Medha Gadgil)</b> Member(A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p><b>(Mridula Bhatkar, J.)</b> Chairperson</p> </div> </div> <p style="margin-top: 10px;">prk</p>

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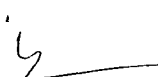
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 10.12.2021</b> <b>O.A.No.66 of 2021</b></p> <p>D.D. Sonune .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that during the course of the day she will file affidavit-in-sur-rejoinder. It be taken on record. Copy be served upon learned Advocate for the Applicant.</p> <p>3. Admit. Adjourned to 04.02.2022.</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>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 10.12.2021</b></p> <p><b>M.A.No.449 of 2021 IN O.A.No.88 of 2020 WITH O.A.No.234 of 2019</b></p> <p>Dr. V.R. Bhailume .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this matter the learned P.O. points out that the Government has taken decision to conduct enquiry after the retirement of Government servant under Rule 27(2)(b) of the Maharashtra Civil Services (Pension) Rules, 1982 It is also pointed out that the applicant was served not only with the charge-sheet but also served with the notice of suspension by the Department on the 28.02.2019 at 11.15 p.m.</p> <p>3. The learned Advocate submits that he was not served with the order of suspension, but the order was pasted on the door of his residential service quarter at 11.15 p.m.</p> <p>4. The learned P.O. also relies on Rule (6)(a) of the MCS (Pension) Rules 1982 which reads as under:</p> <p><i>(6)(a) departmental proceedings shall be deemed to be instituted on the date on which the statement of charges is issued to the Government servant or pensioner, or if the Government servant has been placed under suspension from an earlier date, on such date;</i></p> <p>5. The learned Advocate submits that he wants to rely on one judgment of the Hon'ble Supreme Court, four judgments of Hon'ble High Court and two judgments of this Tribunal on this issue. Hence, it will take sometime.</p> <p>6. The learned P.O. is directed to provide the acknowledgment of the service of suspension order.</p> <p>7. Adjourned to 13.12.2021 for interim relief.</p> <p>Sd/- <b>(Medha Gadgil)</b> <b>Member(A)</b></p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>

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	<p align="center"><b>Date : 10.12.2021</b></p> <p align="center"><b>O.A.No.330 of 2021</b></p> <p>S.N. Joshi .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In view of the affidavit-in-reply filed by the State, we would like to know what is the stage of compliance as on today ?</p> <p>3. Adjourned to 23.12.2021.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member(A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

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	<p><b>Date : 10.12.2021</b></p> <p align="center"><b>O.A.No.343 of 2021</b></p> <p>S.G. Rajpur &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. for the Respondents seeks time.</p> <p>3. Time granted by way of last chance to give information regarding paragraph 5 of order dated 29.10.2021.</p> <p>4. Adjourned to 19.01.2022.</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>

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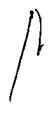
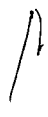
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	<p><b>Date : 10.12.2021</b></p> <p align="center"><b>O.A.No.457 of 2021</b></p> <p>Dr. N.A. Netke. ....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. request for time as the proposal of the regularization of the Applicant is submitted to the Director of Health Service on 08.12.2021.</p> <p>3. Time granted. Adjourned to 22.12.2021.</p> <p>Sd/-  Sd/- </p> <p><b>(Medha Gadgil)</b> <b>Member(A)</b></p> <p><b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>

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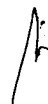
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	<p align="center"><b>Date : 10.12.2021</b></p> <p align="center"><b>O.A.No.477 of 2021</b></p> <p>S.R. Jadhav . . . . .Applicant Vs. The State of Maharashtra &amp; Ors. . . . .Respondents.</p> <p>1. Heard Ms. Savita Suryawanshi,, learned Advocate holding for Mr. V.V. Joshi, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Interim relief to continue till next date.</p> <p>3. Adjourned to 20.01.2022.</p> <p align="center">Sd/-  Sd/-</p> <p align="center"><b>(Medha Gadgil)</b> Member(A)</p> <p align="center"><b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

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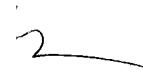
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	<p><b>Date : 10.12.2021</b></p> <p align="center"><b>O.A.No.620 of 2021</b></p> <p>H.B. Shinde . . . . .Applicant Vs. The State of Maharashtra &amp; Ors. . . . .Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Interim relief to continue till next date.</p> <p>3. Adjourned to 19.01.2022.</p> <p align="center">Sd/-  Sd/- </p> <p align="center"><b>(Medha Gadgil)</b> Member(A)</p> <p align="center"><b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

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	<p align="center"><b>M. A. No.551 of 2021 in M.A.No.552 of 2021 in O.A.No. 378 of 2020</b></p> <p><b>S. N. Raktate</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri Shantanu Rakate , learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for holding for Ms S. P.Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. These Misc. Applications are filed for condonation of delay and for restoration of O.A. which is disposed by order dated 21.09.2021.</p> <p>3. This O.A. was filed for direction to release retiral benefits which were held up on account of pendency of D.E. The Applicant stands retired in 2013 from the post of Additional Collector, Nasik. Before his retirement, the charge sheet was served in 2011. The Enquiry Officer was appointed in 2016 since there was no further progress in D.E. The Applicant, therefore, had filed this O.A.</p> <p>4. In O.A., the Respondent No.2 had filed reply along with order passed by the Government dated 01.04.2021 whereby Government had taken decision to close the D.E. In view of it, the Tribunal by order dated 08.04.2021 directed the Respondents to ensure completion of formalities and to release retiral benefits as per his entitlement within eight weeks from the date of order. However, so far as the interest part is concerned, the matter was adjourned for hearing.</p> <p>5. On 21.09.2021, the Applicant and his Counsel were absent. The Tribunal, therefore, disposed of O.A. by passing following order:-</p>

[P.T.O.]

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

"2. The Applicant retired in 2013 but his retiral benefits were withheld on account of pendency of D.E. which ultimately closed by the Government on 01.04.2021. Taking note of this development, the Tribunal has passed an order on 08.04.2021 directing the Respondent No.2 to ensure the completion of all formalities and to release retiral benefits of the Applicant as per his entitlement within eight weeks from the date of order.

3. Now, the period of more than five months is over but still the Applicant is deprived of retiral benefits.

4. Since the Tribunal has already passed detailed order on 08.04.2021 to release retiral benefits within eight weeks from the date of order, it is for the Respondents to implement the same failing to which they may face contempt proceeding.

5. In view of above, O.A. deserves to be disposed of and the Applicant may take suitable steps for contempt proceeding.

6. The Applicant is at liberty to avail further remedy for grant of interest on belated payment independently.

7. O.A. is accordingly disposed of with no order as to costs.

6. It is on the above background now these Misc. Applications are filed for condonation of delay and to file restoration application with request to restore O.A.

7. Learned Counsel for the Applicant submits that interest part needs to be adjudicated in this O.A., and therefore, O.A. be restored.

8. Indeed, while dismissing the matter by order dated 21.09.2021, liberty was granted to the Applicant to avail remedy for grant of interest on belated payment independently.

9. As such, the Applicant can take recourse of law for grant of interest independently.

10. In view of above, there is no necessity to restore the O.A. since the Applicant is at liberty to redress his grievance about interest independently.

11. Misc. Application are dismissed with no order as to costs.

Sd/-

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



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	<p>Date : 10.12.2021</p> <p align="center"><b>O.A.No. 992 of 2021</b></p> <p><b>Dr. S. P. Handralmath</b> ....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ...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. The Applicant who is serving as Head of the Department, Orthopedics, Government Medical College, Solapur has challenged the order dated 30.09.2021 passed by the Respondent No.3- Dean, Government Medical College whereby abruptly his charge of Head of the Department was withdrawn temporarily and was given to Shri R.D. Jaykar and also challenged the order dated 03.10.2021 passed by the Dean whereby Applicant is sent on compulsory leave without pay and allowances w.e.f. 02.10.2021 attributing certain misconduct to the Applicant.</p> <p>3. Learned Counsel for the Applicant submits that impugned orders are <i>ex-facie</i> illegal since the competent authority and disciplinary authority of the Applicant is Government and, even if, misconduct is attributed to the Applicant, the Dean has no authority or jurisdiction to send the Applicant on compulsory leave without pay. According to her, the impugned orders are by way of punishment and totally bad in law <sup>since it is</sup> without following due process of law.</p> <p>4. When the matter was taken up for hearing in morning session, on request of learned P.O. it was adjourned to second session for instructions from Dean.</p> <p>5. In the afternoon session, learned P.O. submits that she had spoken with Deputy Dean who informed her that the Dean has forwarded proposal to the Government for disciplinary action in view of serious misconduct of the Applicant. [P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Learned P.O. could not point out any provisions of law/rules whereby the Dean is empowered to send the Applicant on compulsory leave without pay and allowances. Indeed, she could not point out any such provisions of even empowering appointing authority or disciplinary authority to send a Government servant on such compulsory leave.</p> <p>7. Even assuming for a moment that Applicant has committed some misconduct then it is for the disciplinary authority to take appropriate action in accordance to law. <i>Prima-facie</i>, the Dean, Medical College, Solapur has no authority to pass such orders of compulsory leave.</p> <p>8. I am, therefore, satisfied that <i>prima-facie</i> impugned orders are without jurisdiction and required to be stayed.</p> <p>9. Interim order dated 03.10.2021 sending the Applicant on compulsory leave without pay and allowances is stayed till filing of reply.</p> <p>10. Issue notice before admission returnable on 11.01.2022.</p> <p>11. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>12. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>13. 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>14. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>15. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>16. S.O. to 11.01.2022. Hamdast granted.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">v (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 : 10.12.2021.</p> <p align="center"><b>O.A.No.979 of 2021</b></p> <p><b>V. K. Hasage</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri A. E. Mokal, learned Counsel for the Applicant and Shri A. J. Chougule, learned Chief Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for direction to accommodate the Applicant as per his option Nos.1 to 4 given at the time of transfer or at Parimandal-11 <i>inter-alia</i> contending that his son is suffering from mental retardness, and therefore, in terms of G.R. dated 26.08.1993 he is entitled for posting by giving preference to his options.</p> <p>3. The Applicant is transferred by order dated 03.08.2021 to Protection and Security Unit which was his fifth option. The Applicant has tendered medical certificate showing mental retardness of son to the extent of 50%.</p> <p>4. Issue notice before admission returnable on 24.12.2021.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>6. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>10. S.O. to 24.12.2021.</p> <p>11. In the meantime, the Respondent No.2 – Commissioner of Police, Mumbai shall consider whether there is vacancy at the place as per option nos.1 to 4 given by the Applicant and to see whether he can be accommodated in terms of G.R. dated 26.08.1993. Learned P.O. should apprise the Tribunal about the same by next date.</p> <p>12. S.O. to 24.12.2021.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 10.12.2021</b></p> <p><b>O.A.No.985 of 2021</b></p> <p><b>Dr. B. P. Satpute &amp; Ors. ....Applicants</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., the Applicant has challenged the show cause notice dated 06.09.2021 whereby the Respondent No.1 called explanation of the Applicant as to why pension to the extent of 10% per months should not be deducted permanently in view of enquiry report holding the Applicant guilty for the charges leveled against him.</p> <p>3. As such, the Applicant is challenging the show cause notice and though there is no order of punishment as of now. As such O.A. is premature.</p> <p>4. When this aspect is brought to the notice of learned Counsel for the Applicant, he submits that he intends to challenge the departmental proceeding itself by amending O.A..</p> <p>5. If the Applicant wants to challenge departmental proceeding itself as well as show cause notice in that event, the O.A. will have to be placed before the Division Bench.</p> <p>6. Even otherwise also where proposed punishment is of permanent deduction of pension to the extent of 10%, it is to be heard by the Division Bench in term of office order of allotment of subject dated 28.05.2021.</p> <p>7. Registrar is, therefore, directed to place the matter before appropriate bench.</p> <p style="text-align: right;">^ Sd/- _____</p> <p style="text-align: right;">v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.335/2020**Shri S.M. Sathe****... Applicant****Vs.****The State of Maharashtra & Ors. ... Respondents**

1. Heard Applicant in person and Mrs. K.S. Gaikwad, learned Presenting Officer for Respondents.

2. When the matter is heard for some time, it is transpired that the Applicant is claiming deemed date of promotion to the post of Joint Secretary w.e.f. 01.05.2016 along with pay and allowances.

3. He is promoted by order dated 22.06.2020 and since then working in the said post.

4. However, during the pendency of this O.A, the Government granted deemed date of promotion w.e.f. 01.04.2016, as seen from order dated 03.09.2020 (Page No.103 of P.B.).

5. Now in O.A, the issue remains about the pay and allowances from deemed date of promotion/confirmation of promotion w.e.f. 01.04.2016. The Respondent No.1 - G.A.D. has only filed Affidavit-in-reply stating that Applicant is not entitled to pay and allowances in reference to Rule 32 of M.C.S. (General Conditions of Services) Rules, 1981.

6. On the request of learned P.O, two weeks' time is granted to file Affidavit-in-reply of Respondent No.2 about pay and allowances claimed by the Applicant from 01.04.2016.

7. S.O. to 24<sup>th</sup> December, 2021 as part heard.

Sd/-

(A.P. Kurhekar)  
Member-J

03.12.2021

2/12/2021

(skw)

**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 : 10.12.2021</p> <p align="center">O.A.No.913 of 2021</p> <p>R. M. Mahajan <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 align="center"><u>Speaking to Minutes</u></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. This matter is on today's board for 'Speaking to Minutes' to correct some inadvertent mistake occurred in Para No.5 of the matter. The O.A. was disposed of by order dated 02.12.2021. The Applicant was <sup>not</sup> under suspension on 01.01.2016 as discussed in order dated 02.12.2021. However in Para No.5 inadvertently it is stated as "Indisputably the Applicant was under suspension on 01.01.2016 instead of stating indisputably the Applicant was not under suspension on 01.01.2016.</p> <p>3. As such, sentence no.1 in Para No.5 of the order should be corrected as under:-</p> <p align="center">"Indisputably the Applicant was not under suspension on 01.01.2016."</p> <p>4. Correction be accordingly made.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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>Date: 10.12.2021</b></p> <p align="center"><b>O.A. No.50 of 2019</b></p> <p><b>V.T. Jadhav</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri V.A. Sugdare, learned Advocate holding for Shri A.D. Sugdare, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing it is transpired that the Applicant has not produced order of M.A.T., Aurangabad Bench dated 19.12.2007, which is referred in order dated 28.12.2007. It appears that O.A. filed by the Applicant was dismissed by M.A.T. and thereafter the Applicant was relieved from service.</p> <p>3. It is therefore necessary to know what was under challenge before M.A.T. and its effects.</p> <p>4. On request of learned Advocate for the Applicant two weeks time is granted.</p> <p>5. S.O. to 06.01.2022.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p align="center">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: 10.12.2021</p> <p align="center">O.A. No.465 of 2021</p> <p>S.M. Shinde .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, 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. S.O. to 07.01.2022.</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\_\_\_\_

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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 : 10.12.2021</p> <p align="center">M. A. No.90 of 2021 in O.A.No.164 of 2021</p> <p>R. B. Pingle <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 Ganesh Masurkar holding for Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In reference to the order passed by this Tribunal on 22.11.2021, learned P.O. submits that file is still under consideration of Finance Department and requested for grant of time.</p> <p>3. Now, M.A. be kept for hearing and in the meantime appropriate decision on the proposal sent by the Director General of Police dated 08.06.2021 be taken.</p> <p>4. S.O. to 06.01.2022.</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 \_\_\_\_\_

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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 : 10.12.2021</p> <p align="center">O.A.No.634 of 2018</p> <p>U. D. Kharat &amp; Ors. ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri G. A. Bandiwaekar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. This O.A. was initially placed before the Single Bench but later in view of the office order of change of assignment, it was placed before the Division Bench. However, again the subject of recovery with Time Bound Promotion is assigned to Singh Bench by office order dated 25.10.2021.</li> <li>3. It is on the above background, this O.A.is listed before me for the first time today.</li> <li>4. Perusal of record reveals that pleading is complete and the matter is at the stage of final hearing.</li> <li>5. O.A. be kept for final hearing.</li> <li>6. S.O. to 04.01.2022.</li> </ol> <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

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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 : 10.12.2021</p> <p>O.A.No.428, 429, 430 &amp; 431 of 2020</p> <p>N. R. Tekam &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam holding for Dr. Gunratan Sadavarte, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Shri M. B. Kadam, learned Counsel for the Applicants requested for time on the ground that Shri Sadavarte, learned Counsel for the Applicant is unwell and requested to keep the matter on 22.12.2021.</p> <p>3. S.O. to 22.12.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.12.2021</p> <p style="text-align: center;">O.A.No.990 of 2021</p> <p>C. V. Potdar <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 G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged the communication dated 22.02.2021 whereby the claim for appointment of compassionate ground is rejected on the ground of having third child to the deceased after cut-off date in terms of G.R. dated 31.12.2001.</li> <li>3. Issue notice before admission returnable on 18.01.2022.</li> <li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>9. S.O. to 18.01.2022.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 10.12.2021</p> <p style="text-align: center;">O.A.No.991 of 2021</p> <p><b>A. S. Ghodake</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri R. G. Panchal, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged the order dated 28.12.2020 whereby he is suspended (deemed suspension) invoking Rule 4(2)(a) of Maharashtra Civil Services (Discipline &amp; Appeal) Rules, 1979.</li> <li>3. Learned Counsel for the Applicant submits that the period of more than one year is over without taking any review, and therefore, prolong suspension is impermissible.</li> <li>4. Issue notice before admission returnable on 11.01.2022.</li> <li>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</li> <li>6. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</li> <li>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.</li> <li>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>9. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</li> <li>10. S.O. to 11.01.2022.</li> <li>11. In the meantime, learned P.O. should apprise the Tribunal as to why review is not taken in the matter of suspension of the Applicant by next date.</li> </ol> <p style="text-align: right;">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member(J)</b></p> <p>vsm</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><b>Date : 10.12.2021</b></p> <p align="center"><b>M. A. No.276 of 2021 in O.A.No.489 of 2021</b></p> <p><b>Dr. R. R. Asawa</b> <span style="float:right">....Applicant</span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard the Applicant in person and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. Today, learned P.O. filed reply to Misc. Application. It is taken on record.</li> <li>3. Insofar as O.A. is concerned, on request of learned P.O., two weeks time is granted for filing reply as a last chance.</li> <li>4. S.O. to 24.12.2021.</li> </ol> <p align="right">Sd/- <b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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><b>Date : 10.12.2021</b></p> <p><b>M. A. No.29 of 2020 in O.A.No.1125 of 2019</b></p> <p><b>S. L. Lolge</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply is under preparation and the same will be filed during the course of the day. The statement is accepted. It be taken on record.</p> <p>3. The matter is adjourned for hearing.</p> <p>4. S.O. to 07.01.2022.</p> <p style="text-align: right;">   <b>Sd/-</b>  <b>(A.P. Kurhekar)</b>  <b>Member(J)</b> </p> <p>vsm</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 : 10.12.2021</p> <p>O.A.No.458 of 2021</p> <p>A. R. Salunkhe ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri Mohar Kumbhar holding for Shri S. K. Hande , learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 24.12.2021.</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

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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 : 10.12.2021</p> <p>O.A.No.727 of 2021</p> <p>P. N. Patil ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 07.01.2022.</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\_\_\_\_

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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 : 10.12.2021</p> <p align="center">O.A.No.728 of 2021</p> <p>S. S. Khaladkar <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 Shri A. J. Chougule holding for Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply by way of last chance.</p> <p>3. S.O. to 23.12.2021.</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><b>Date : 10.12.2021</b></p> <p><b>O.A.No.698 of 2021</b></p> <p><b>A. R. Uttare</b> ....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri Dnyaneshwar Jaibhave holding for Shri S. A. Kasar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents and Shri G. A. Bandiwadekar, learned Counsel who appeared today on behalf of the Respondent No.4.</p> <p>2. On request of learned P.O. and learned Counsel for the Respondent No.4, two weeks time is granted for filing reply.</p> <p>3. S.O. to 23.12.2021.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> <b>Member(J)</b></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 : 10.12.2021</p> <p>O.A.No.759 of 2021</p> <p>R. N. Gaikwad ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, 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. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 20.12.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>