

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

Tribunal's orders

Date : 11.01.2022

O.A.No.999 of 2021

A. R. BhagwatApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Shri Shantanu Raktate, learned Counsel for the Applicant has sent leave note stating that due illness he is unable to remain present from 11.01.2022 to 18.01.2022. Heard Smt. Kranti Gaikwad, learned resenting Officer for the Respondents.
2. Today, learned P.O. has filed affidavit of Smt. Vandana Krishna, Additional Chief Secretary, School Education and Sports Department, Mantralaya in terms of order passed by the Tribunal on 22.12.2021 whereby directions were given to explain the delay in the matter of completion of D.E. as well as proposed steps to be taken against the concerned officials for huge and inordinate delay in completion of D.E.
3. In affidavit, the Additional Chief Secretary sought to submit that delay has been caused in completion of D.E. due to procedural factors and thereafter due to Covid-19 Pandemic Situation.
4. D.E. was initiated against the Applicant by issuance of charge sheet dated 13.08.2015 and Shri S.Y. Kursange, Divisional Enquiry Officer was appointed. Thereafter in his place another Enquiry Officer Smt. P.P. Sabale has been appointed. As per affidavit filed by Additional Chief Secretary, now show cause notice was given to the Applicant to submit his statement of defence till 10.01.2022 and enquiry is at fag end.
5. Thus, what transpires that though the period of more than six years is over, the Enquiry Officer has not submitted his report. The reason mentioned by the Additional Chief Secretary in the affidavit that delay was caused due to procedural factors is totally unacceptable since the procedure was required to be followed by all means and the D.E. was required to be completed within six months or maximum within the period of one year in terms of Circular dated 07.04.2008. The Applicant stands retired on 31.05.2011, the D.E. was initiated in 2015 and still it is pending which necessarily shows laxity and carelessness on the part of concerned. As such, *prima-facie*, affidavit is not satisfactory and it's correctness has to be examined after hearing of learned Counsel for the Applicant as well as learned P.O.
6. Today, learned Counsel for the Applicant is absent due to illness.
7. O.A. is, therefore, adjourned to 20.01.2022.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 11.01.2022</p> <p align="center">O.A. No.955 of 2021</p> <p>G.H. BhusareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 25.01.2022.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p>L.O.</p> <p>4. In the afternoon session, learned P.O. has tendered affidavit-in-reply on behalf of the Respondents. It is taken on record.</p> <p>5. The matter is adjourned for hearing at the stage of admission.</p> <p>6. S.O. to 25.01.2022.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 11.01.2022</p> <p align="center">O.A.No.1133 of 2019</p> <p>A. J. DangeApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>3. S.O. to 08.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 11.01.2022</p> <p align="center">O.A. No.410 of 2021</p> <p>S.T. ZawareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.1. It is taken on record.</p> <p>3. S.O. to 10.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 1014 OF 2021

DISTRICT : KOLHAPUR

Shri R.M Wadakar)...**Applicant**

Versus

The State of Maharashtra)...**Respondents**

Shri R.G Panchal, a/w Sachin Patil and K Jadhav, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Mrs Medha Gadgil (Member) (A)

DATE : **13.01.2022**

PER : **Justice Mridula Bhatkar (Chairperson)**

ORDER

1. The applicant got selected in the Maharashtra Civil Engineering Main Examination 2019 for the post of Civil Engineer conducted by Respondent no. 5, MPSC, under 5% reserved quota for Sports. The applicant plays Kurash (a form of Marshal Arts). However, his Sports Certificate is found not as per Rules that it has to be issued by the Association which has organized the Sports but should have affiliated with Indian Olympic Association or

Maharashtra Olympic Association. Therefore, applicant has filed this Original Application with a prayer that pending hearing and final disposal of the Original Application, he be allowed to appear for the interview conducted by MPSC.

2. Respondents have filed affidavit in reply, wherein they have stated that the Certificate issued by the Kurash Association of India is not affiliated to Indian Olympic Association or Maharashtra Olympic Association. Therefore, the said Certificate ought not to have been considered as valid and thus the applicant is denied benefit of 5% reservation under the Sports quota.

3. While hearing the submissions of the learned counsel for the applicant, our attention was drawn to letter dated 11.7.2019 issued by Mr Rajendra Pawar, Deputy Secretary, School Education and Sports Department, addressed to the Commissioner, Sports and Youth Services, State of Maharashtra, wherein it is stated that Kurash game is included in the Asian Games. Similarly, the said game is included in the list of the Sports which are available for reservation. However, Mr Rajendra Pawar has made a disputed statement that the condition of the Association issuing the Sports Certificate was relaxed by the State of Maharashtra. This particular statement is highly disputed by the learned C.P.O.

4. We, would therefore like to have the assistance of Mr Rajendra Pawar, Deputy Secretary, before the Tribunal on 13.1.2022. However, we were informed by the officer from the said Department that Mr Rajendra Pawar, Deputy Secretary, retired on 31.12.2021.

5. Learned C.P.O raised the point whether by issuing such letter the conditions mentioned in the G.R dated 8.7.2016 which

speaks about eligibility criteria can be modified without taking out new G.R in the name of the Governor.

6. In view of this, we direct the Deputy Secretary, School Education and Sports Department, dealing with the file earlier handled by Mr Rajendra Pawar to remain present and assist the Tribunal.

7. S.O to 13.1.2022 at 11.30 pm.

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai

Date : 13.01.2022

Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 17 OF 2022**

DISTRICT : NASIK

Shri D.N Gutte & Ors)...**Applicants**

Versus

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

Shri B.A Bandiwadekar, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

**CORAM : Justice Mridula Bhatkar (Chairperson)
Mrs Medha Gadgil (Member) (A)**

DATE : 11.01.2022

PER : Justice Mridula Bhatkar (Chairperson)

ORDER

1. The applicants, in 25 in number working as Accountants and Audit Services in Group-C, in various Municipal Councils are served with the notice of termination dated 16.12.2021. The applicants have appeared for the examination for the said post, pursuant to advertisement dated 5.4.2018. The applicants have cleared the examination and their names appeared in the merit list as result was declared on 25.10.2018. The applicants received their appointment orders on different dates, i.e. on 3.1.2019, 19.9.2019 and 4.11.2019. The applicants were sent for training and after completion of their training they started working at their

respective place of posting. They were paid salary by the Respondents. Barring two applicants, all of them have cleared the departmental examination on 23.10.2021.

2. However, two candidates, namely Shri Avinash Rathod and Shri Sachin Ingle, had move the application before the M.A.T, Nagpur Bench by filing O.A 1025/2018, challenging the correctness of question No. 5 in the question paper of the said examination. The Tribunal by order dated 3.3.2020 held that the answer key supplied by Maha Portal was wrong and the answer given by the two applicants to question no. 5 was correct. Similarly, the application filed by other four candidates bearing O.A 462/2019 before the Maharashtra Administrative Tribunal, Mumbai Bench was decided on 4.12.2020 on the same lines.

3. As the answer key to Question No. 5 was held incorrect, which was supplied by Maha Portal, the Respondents revisited the result declared by them and revised the merit list accordingly. Consequently, the present applicants, who secured the cut-off marks have lost the mark of question no. 5, i.e 1.25 marks and they were pushed down and excluded in the revised merit list. The Respondents, thereafter, decided to appoint the candidates who were the original applicants in O.A 1025/2018 and O.A 462/2019 before the Tribunal and other 25 candidates who were similarly placed. Resultantly, the Respondents decided to discontinue the services of the present applicants and issued show cause notice of termination dated 16.12.2021. Hence the present applicants are before this Tribunal.

4. Learned counsel for the applicants submitted that all the applicants have completed their training and they are working at their respective place of posting since two years and have also

cleared the departmental examination. Under such circumstances, the show cause notice of termination issued by the Respondents is illegal.

5. In support of his submissions, learned counsel for the applicants relied on the judgment of the Hon'ble Supreme Court in **TEJINDER KAUR & ORA Vs. LADY CONSTABLE RAJ KUMARI & ORS, (2009) 1 SCC 177**. In the said matter, the applicant joined the Police Force as a lady Constable as she was successful in the examination. However, subsequently, she was informed that she was not eligible. So she took the legal course. The Hon'ble Supreme Court, though did not give relief to the original applicant Rajkumari, as she could not make the grade, it held as under:-

“It would be inequitable to deprive them the benefits of what had been extended to them. Deficiency, if any, in not allotting proper marks as done by the authorities cannot deprive them of the benefit which they have obtained. It is not shown that they were a party to the wrong allotment of marks at the original stage.”

6. Learned counsel for the applicants further submitted that the Respondents should have considered the case of the six candidates who had approached the Court and challenged the model key issued by the Maha Portal and they should not have revised the list and considered the case of other 25 candidates, which is against the ratio laid down by the Hon'ble Supreme Court in the case of **ALOK KUMAR SINGH & ORS Vs. STATE OF UTTAR PRADESH & ORS (2018) 18 SCC 242**. In view of the above, learned counsel for the applicants submitted that the said show cause notice of termination dated 16.12.2021 be stayed.

7. Learned C.P.O for the Respondents seeks time to take instructions in the matter. However, we grant time by raising the following queries.

- (a) Whether the facts pointed out by the applicants are correct?
- (b) Why the doctrine of Promissory Estoppel should not be applied?

8. S.O to 13.1.2022.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai

Date : 13.01.2022

Dictation taken by : A.K. Nair.

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	<p align="center"><u>O.A. No.568 of 2021</u></p> <p>D.R. Madane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri L.S. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Though the matter is adjourned to 9.2.2022, it is taken on board for the purpose of filing reply of the respondents.</p> <p>3. Ld. PO states that reply will be filed during the course of the day.</p> <p>4. Ld. Advocate for the applicant to take note.</p> <p>5. S.O. to 9.2.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 11.1.2022 11.1.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.761 of 2021</u></p> <p>V.P. Bhoir ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. S.E. Ambhore-Kamble, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Though the matter is adjourned to 10.2.2022, it is taken on board for the purpose of filing reply of the respondents.</p> <p>3. Ld. PO states that reply will be filed during the course of the day.</p> <p>4. Ld. Advocate for the applicant to take note.</p> <p>5. S.O. to 10.2.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A) 11.1.2022 (sgj)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson 11.1.2022</p>

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	<p align="center"><u>C.A. No.58 of 2021 in O.A. Nos.889 & 890 of 2019</u> <u>(Through Video Conferencing)</u></p> <p>M.G. Kamble & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to take instructions.</p> <p>3. S.O. to 13.1.2022.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 11.1.2022 11.1.2022</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>C.A. No.54 of 2021 in O.A. No.313 of 2020</u></p> <p>N.L. Thade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Prabhune, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 & 2 and Shri Sumit Kate holding for Shri Uday Warunjikar, learned Advocate for Respondent No.3.</p> <p>2. Ld. Advocate for respondent no.3 states that RA No.12 of 2021 is filed in the above matter in this Tribunal on 11.11.2021 and today he has taken circulation.</p> <p>3. S.O. to 1.2.2022.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) 11.1.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson 11.1.2022</p> </div> </div>

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	<p><u>O.A. No.79 of 2019</u></p> <p>N.S. Kshirsagar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply will be filed during the course of the day.</p> <p>3. S.O. to 1.2.2022 for filing rejoinder, if any.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) 11.1.2022</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson 11.1.2022</p> </div> </div> <p>(sgj)</p>

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	<p align="center"><u>M.A. No.247 of 2021 in O.A. No.220 of 2020</u> <u>(Through Video Conferencing)</u></p> <p>D.M. Taware & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that department wants to collect data of the State to hold Division wise DPC at the State Level.</p> <p>3. S.O. to 8.2.2022 by way of last chance.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 11.1.2022 11.1.2022</p> <p>(sgj)</p>

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	<p align="center"><u>C.A. No.48 of 2021 in O.A. No.935 of 2017</u> <u>(Through Video Conferencing)</u></p> <p>S.R. Koli ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that department has already sent amount to the office of Commissioner, Solapur and will be disbursed shortly.</p> <p>3. S.O. to 25.1.2022 for compliance.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 11.1.2022 11.1.2022</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>C.A. No.10 of 2020 in O.A. No.434 of 2014</u></p> <p>M.C. Gosavi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard K.R. Godbole, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Pursuant to order dated 29.11.2021 in MA No.535 of 2021, amendment is carried out and copy served on all concerned.</p> <p>3. Ld. PO states that W.P. (St.) No.12910 of 2021 is filed in the Hon'ble High Court.</p> <p>4. S.O. to 15.2.2022.</p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha/Gadgil) Member (A) 11.1.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson 11.1.2022</p> </div> </div>

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	<p align="center"><u>O.A. No.6 of 2022</u> (Through Video Conferencing)</p> <p>D.Y. Bharambe & 25 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.R. Asawa, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 15.2.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 11.1.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 11.1.2022</p>

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	<p align="center"><u>O.A. No.14 of 2022</u></p> <p>Dr. B.S. Lohare ..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 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 1.2.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 11.1.2022 11.1.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.252 of 2021</u></p> <p>Dr. A.R. Kamble ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO states that reply will be filed during the course of the day.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 8.2.2022.</p> <p align="center">Sd/- Sd/-</p> <p>(Mēdhā Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 11.1.2022 11.1.2022</p> <p>(sgj)</p>

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	<p>Date : 11.01.2022</p> <p align="center">O.A.No.424 of 2020</p> <p>Dr. K. B. BatteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. When this matter is taken up for final hearing, learned Counsel for the Applicant realized that he needs to challenge the order dated 03.06.2021 (page no.70 o PB) filed by Respondents along with affidavit-in-reply. This order is passed during the pendency of this O.A. 3. Learned Counsel for the Applicant submits that he wants to challenge the order dated 03.06.2021 whereby his claim for increments, break in service for the period before regularization is rejected along with his claim for regular pension instead of defined contribution pension scheme. 4. One week time is granted to file Misc. Application for amendment so as to challenge the order dated 03.06.2021. 5. S.O. to 20.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 11.01.2022</p> <p align="center">O.A. No.711 of 2019</p> <p>M.N. GaikwadApplicant 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. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply to the amendment portion of O.A.</p> <p>3. S.O. to 25.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 11.01.2022</p> <p align="center">O.A. No.206 of 2019</p> <p>S.C. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri M.D. Lonkar, learned Advocate for the Respondent No.3.</p> <p>2. This is Part Heard matter.</p> <p>3. Shri M.D. Lonkar, learned Advocate for the Respondent No.3 sought to refer minutes of C.S.B. in respect of posting order of Respondent No.3. He wants to place on record along with Affidavit of Respondent No.3. He submits that due to COVID-19 Pandemic situation the Applicant has not come for filing Affidavit and requested for one week time.</p> <p>4. S.O. to 18.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 11.01.2022</p> <p align="center">O.A. No.1031 of 2021</p> <p>K.A. TareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Short Affidavit on behalf of Respondent No.2. It is taken on record. 3. O.A. be kept for hearing at the stage of admission. 4. Interim relief to continue till next date. 5. S.O. to 10.02.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 11.01.2022</p> <p align="center">O.A. No.934 of 2021</p> <p>A.D. ChaudhariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. No separate Reply is filed on behalf of Respondent No.1.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 08.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 11.01.2022</p> <p align="center">O.A. No.992 of 2021</p> <p>Dr. S.P. HandralmathApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one weeks time is granted for filing Affidavit-in-Reply, since point involved in the O.A. is very short and O.A. can be disposed of expeditiously.</p> <p>3. S.O. to 20.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 11.01.2022</p> <p align="center">O.A. No.739 of 2021</p> <p>D.B. SulApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, 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-Reply on behalf of Respondent No.3. It is taken on record. No separate Reply is filed on behalf of Respondent No.1 & 2.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 08.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p>

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	<p>Date: 11.01.2022</p> <p>O.A. No.671 of 2021</p> <p>A.R. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1 & 2. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant one week time is granted for filing Rejoinder.</p> <p>4. S.O. to 20.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 11.01.2022</p> <p align="center">O.A. No.80 of 2021 with O.A. No.81 of 2021 with O.A. No.632 of 2021</p> <p>Dr. J.K. Pagare Dr.A.R. Patil Dr. A.S. ThakreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.R. Kulkarni, learned Advocate holding Shri J.S. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Perusal of order dated 22.12.2021 passed by this Tribunal reveals that on that date learned P.O. made statement that Affidavit-in-Reply will be filed during the course of the day and accepting the statement matter was adjourned for filing Rejoinder of the Applicant.</p> <p>3. Learned P.O. however submits that since concerned person who were supposed to swear an Affidavit was tested positive for COVID-19, and therefore Affidavit-in-Reply could not be filed as assured before the Tribunal. He therefore, sought one week time to file Affidavit-in-Reply.</p> <p>4. One week time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>5. S.O. to 20.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="center">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 11.01.2022</p> <p>M.A. No.513 of 2021 in O.A. No.383 of 2021 with M.A. No.514 of 2021 in O.A. No.385 of 2021 with M.A. No.515 of 2021 in M.A. No.207 of 2021 in O.A. No.393 of 2021 with M.A. No.516 of 2021 in O.A. No.434 of 2021 with M.A. No.517 of 2021 in M.A. No.229 of 2021 in O.A. No.440 of 2021 with M.A. No.518 of 2021 in M.A. No.230 of 2021 in O.A. No.441 of 2021 with M.A. No.519 of 2021 in M.A. No.235 of 2021 in O.A. No.445 of 2021 with M.A. No.520 of 2021 in M.A. No.236 of 2021 in O.A. No.446 of 2021 with M.A. No.545 of 2021 in M.A. No.205 of 2021 in O.A. No.391 of 2021 with M.A. No.546 of 2021 in O.A. No.386 of 2021</p> <p>G.J. Mhatre G.V. Sawant R.D. Sawant & Ors. M.L. Langi N.N. Kadam & Ors. V.B. Chafekar & Ors. S.N. Rane & Ors. S.S. Salunkhe & Ors. S.S. Dixit & Ors. S.S. ManjrekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant, Smt. K.S. Gaikwad, Smt. Archana B.K. and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply to M.A.</p> <p>3. S.O. to 25.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 11.01.2022</p> <p align="center">O.A. No.922 of 2021</p> <p>A.G. ChaudhariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. submits that Affidavit-in-Reply will be filed during the course of the day. Statement is accepted. It be taken on record. 3. Interim relief to continue till next date. 4. O.A. be kept for hearing at the stage of admission. 5. S.O. to 13.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 11.01.2022</p> <p align="center">O.A. No.1042 of 2021</p> <p>N.L. PaithankarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through Video-Conference and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order of appellate authority dated 07.01.2018, whereby punishment of withholding to two increments without cumulative effect is imposed by disciplinary authority has been upheld.</p> <p>3. Issue notice before admission returnable on 08.02.2022.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</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 Original Application. Respondents are put to notice that the case would 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 align="right">[P.T.O.]</p>

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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.

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

9. S.O. to 08.02.2022.

Sd/-
(A.P. Kurhekar)
Member (J)

NMN

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	<p>Date: 11.01.2022</p> <p align="center">O.A. No.1046 of 2021</p> <p>Dr. U.S. LokhandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.R. Kulkarni, learned Advocate holding for Shri J.S. Deshmukh, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The Applicant is simply seeking implementation of transfer order dated 17.09.2021 whereby he is transferred from Sindhudurg to Udgir, District-Latur. 3. Though period of more than 3 months is over the Applicant seems to be not relieved. 4. Learned P.O. is therefore directed to take instructions from the Respondents as to why the Applicant is not relieved and shall appraise the Tribunal on next date so that O.A. can be disposed of on next date. 5. In the meantime Issue notice before admission returnable on 25.01.2022. 6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram,
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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. 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.

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

11. S.O. to 25.01.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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	<p>Date: 11.01.2022</p> <p align="center">O.A. No.1063 of 2021</p> <p>B.V. ChauguleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V.P. Sangvikar, learned Advocate for the Applicant through Video-Conference and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order dated 31.10.2020 and order dated 25.01.2021 whereby benefit of ACPS has been withdrawn at the verge of retirement. 3. Issue notice before admission returnable on 08.02.2022. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 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.

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directions, and Registrar's orders

Tribunal's orders

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.

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

9. S.O. to 08.02.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN