

**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
	<u>O.A. No.829 of 2019</u>
	A.P. Ghadge & 4 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents
	<p>Heard Shri Mangal Bhandari, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 to 4.</p> <p>2. Shri P.A. Kulkarni, learned Advocate for Respondents No.5 to 14 has sent email on 9.2.2021 requesting to adjourn the matter because he has personal difficulty and due to unavoidable circumstances it is not possible for him to attend the matter. He has requested to schedule the matter on 25.2.2021 i.e. after two weeks.</p> <p>3. Ld. Advocate for the applicants as well as Ld. CPO took objection to the repetitive adjournments sought by Ld. Advocate Shri P.A. Kulkarni on earlier dates. Ld. Advocate for the applicants has submitted that he has added one Shri Eknath Narsing Gaikwad as party Respondent No.15 in the array of the respondents. Shri P.A. Kulkarni, Ld. Advocate was supposed to file his Vakalatnama on behalf of respondent no.15 as he has mentioned on the previous dates. Ld. Advocate for the applicants points out that Shri P.A. Kulkarni, Ld. Advocate has not filed his appearance on behalf of respondent no.15. He expresses his apprehension that again on that count the matter may be adjourned on the next date. In view of earlier conduct of Shri P.A. Kulkarni, Ld. Advocate, he also apprehends that Shri Kulkarni is deliberately protracting the matter to take time and may challenge the order of this Tribunal of constituting Larger Bench and on the point of maintainability. He submits that Shri Kulkarni, Ld. Advocate is not coming with true reasons for seeking adjournment and that is objectionable. Ld. CPO also supports and adopts the same submissions.</p> <p>4. In view of these submissions of the Ld. Advocate for the applicants and Ld. CPO and as email is sent Shri P.A. Kulkarni,</p>

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

Tribunal's orders

Ld. Advocate for adjourning the matter for the personal difficulty and due to unavoidable circumstances, we give last chance to all the respondents and their Advocates to argue the matter before this Tribunal. All the Counsel to take note. Thereafter the matter will not be adjourned.

5. We direct Shri P.M. Subhedar, Registrar of Aurangabad Bench of this Tribunal to communicate Shri P.A. Kulkarni, Ld. Advocate for Respondents No.5 to 14 to file Vakalatnama on behalf of respondent no.15 ~~with him~~ on or before 16.2.2021. Shri Subhedar shall arrange to send the said Vakalatnama to this Principal Bench.

6. Shri P.M. Subhedar to confirm that all the record and proceedings in OA No.346 of 2017 is sent to this Principal Bench either through special messenger or along with Shri M.S. Mahajan, Ld. CPO, Aurangabad Bench, as and when he is going to come.

7. Ld. CPO to furnish residential as well as office address of respondent no.15 Shri Eknath Narsing Gaikwad to the Ld. Advocate for the applicants to enable him to issue notice.

8. Issue notice before admission to Respondent No.15 returnable on 25.2.2021 at 10.30 a.m.

9. Applicants are 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.

10. 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.

11. 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. Applicants are directed to file affidavit of compliance and notice.

Sd/-

Sd/-

Sd/-

(A.P. Kurhekar)

Member (J)

11.2.2021

(sgj)

(P.N. Dixit)

Vice-Chairman

11.2.2021

(Mridula R. Bhatkar, J.)

Chairperson

11.2.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 11.02.2021</p> <p align="center">O.A. No.997 of 2019</p> <p>S.A. SutarApplicant 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. On request of the learned Advocate for the Applicant one week time is granted for filing Rejoinder.</p> <p>3. S.O. to 22.02.2021.</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: 11.02.2021</p> <p align="center">O.A. No.280 of 2017 with O.A. No.241 of 2019</p> <p>V.V. PunathilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of the learned P.O. for the Respondents two weeks time is granted to file Rejoinder as last chance.</p> <p>3. P.O. to 23.02.2021.</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

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 11.02.2021</p> <p align="center">O.A. No.225 of 2019</p> <p>B.M. ThakurApplicant 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, the learned P.O. for the Respondents has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.1&2. It is taken on record.</p> <p>3. Adjourned for Final Hearing on 03.03.2021.</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

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 11.02.2021</p> <p align="center">O.A. No.961 of 2019</p> <p>R.P. AdisareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. for the Respondent has filed Affidavit-in-Reply on behalf of Respondent No.1.</p> <p>3. It is taken on record.</p> <p>4. Adjourned to 02.03.2021 for hearing at the stage of admission.</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

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 : 11 .02.2021</p> <p align="center">O.A.No.180 of 2020</p> <p>R.B. Dhaktode & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Earlier in terms of order in M.A.No.14/2021, one month's time was granted for compliance of the order passed by this Tribunal on 10.12.2020. 3. Today, Shri A. J. Chougule, learned P.O. submits that he will talk to Respondent No.2-Commissionare, Dairy Development, and therefore, requested for two weeks time to take necessary instructions. 4. S.O. to 01.03.2021. <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

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: 11.02.2021</p> <p>O.A. No.1118 of 2019</p> <p>D.T. KadamApplicant 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 Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. Adjourned for Final Hearing on 02.03.2021.</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

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 11.02.2021</p> <p align="center">O.A. No.318 of 2019</p> <p>B.N. KharkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents. 2. Today, Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record. 3. Pleadings are complete. 4. Admit. 5. Adjourned for Final Hearing on 01.03.2021. <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 : 11 .02.2021</p> <p>O.A.No.592 of 2020</p> <p>D. K. ValviApplicant</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 P.O. for the Respondents, two weeks time is granted for fling reply as a last chance.</p> <p>3. S.O. to 25.02.2021.</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.

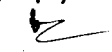
of 20

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 : 11 .02.2021</p> <p align="center">O.A.No.251 of 2019</p> <p>D.S. SabaleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C.B. Nitke, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent Nos.1 to 3 and Shri S.S. Dere, learned Counsel for the Respondent No.4.</p> <p>2. Today, learned P.O. has filed additional affidavit of reply on behalf of the Respondent No.3 and Shri S.S. Dere, learned Counsel has also filed additional affidavit on behalf of the Respondent No.4. Those are taken on record.</p> <p>3. During the course of hearing, it is noticed that the learned P.O. has not filed affidavit of Respondent No.3 infact and what was tendered on record was the affidavit of the persons who purportedly issued sports certificates.</p> <p>4. Hence, in absence of affidavit on behalf of the Respondent No.3-SDO, these affidavits tendered today cannot be considered as those persons are not party to the proceeding so as to take their affidavits on record directly.</p> <p>5. In view of above, on request of learned P.O., one week time is granted for filing ^{affidavit} reply of Sub Division Officer.</p> <p>6. S.O. to 24.02.2021. </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
---	-------------------

Date : 11.02.2021

O.A.No.542 of 2020 with M.A.No.62 of 2021

Dr. B.H. Tadvi (O.A.542/2020)
S.B. Bodke (M.A.62/2021) ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant in O.A.No.542/2020, Shri M.D. Lonkar, learned Advocate for the Applicant in M.A.No. 62/2021 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents:

2. The Applicant seeks promotion to the post of Deputy Commissioner, the Intervener is now promoted to that post and therefore is going to be affected, if the O.A. is allowed by the Tribunal. Hence, the Intervention is allowed. The Intervener is to be added as party Respondent no.3 and the Applicant to carry out this amendment within one week.

3. The affidavit-in-reply dated 10.02.2021, filed by Respondent no.1 through Shri Yuvraj B. Ajetroa, Deputy Secretary, in the office of Principal Secretary, Home Department along with annexures is taken on record. Copy be served on the other side. The proposed Respondent no.3 may file the affidavit-in- reply within 3 weeks and the copy be served on all the parties.

4. Adjourned to 30.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

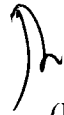
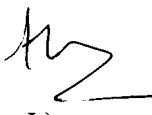
(Advocate))

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. No.61 of 2021</u></p> <p>S.S. Choudhari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. More time is sought by the Ld. CPO to take instructions and file reply. Therefore, matter is fixed on 17.2.2021. Till then the applicant need not attend the enquiry. This order is to be communicated to the Enquiry Officer.</p> <p>3. S.O. to 17.2.2021.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-  (P.N. Dixit) Vice-Chairman 11.2.2021</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula R. Bharkar, J.) Chairperson 11.2.2021</p> </div> </div> <p>(sgl)</p>

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

Tribunal's orders

C.A. No.109 of 2015 in O.A. No.353 of 2014

Dr. K.S. Ramamurthy ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Dr. K.S. Ramamurthy, Applicant in person, Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 to 4 and Ms. Pratibha Gawane, learned Advocate for Respondent No.5-KDMC.

2. Ld. Advocate for Respondent No.5 informs that Kalyan Dombivali Municipal Corporation (KDMC) has filed W.P. No.9276 of 2015 before the Hon'ble High Court and following order has been passed on 1.12.2015 by the Hon'ble High Court:


"2. In the meantime, considering the averments made and as the case is made out, no coercive steps be taken based upon the impugned order till the next date."

3. Ld. Advocate for respondent no.5 submits that on 26.4.2019 the matter appeared on board of the Hon'ble High Court and ad-interim relief granted earlier was continued on that date. The present applicant has appeared in the Hon'ble High Court through Ld. Advocate Ms. S.P. Manchekar, who is presently CPO in this Tribunal.

4. It is informed by the Ld. Advocate for respondent no.5 further that as of today the matter is not appearing on board, so either of the parties will have to take circulation before the Hon'ble High Court.

5. This CA is pending since 2015. The fate of this CA depends upon the decision of the writ petition as the subject-order of the contempt is challenged in writ petition. We, therefore, dispose off this CA with liberty to the applicant to approach this Tribunal subject to outcome of the writ petition.

Sd/-
(P.N. Dixit)
Vice-Chairman
11.2.2021

Sd/- 
(Mridula R. Bhatkar, J.)
Chairperson
11.2.2021

(sgj)

**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"><u>O.A. No.16 of 2021</u></p> <p>Mahavir M. Dawane & 4 Ors. ..Applicants Vs. The State of Maharashtra & Anr. ..Respondents</p> <p>Heard Shri Kranti L.C., learned Advocate for Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants wants to amend the OA on the basis of results declared yesterday. The applicant is required to file MA to that effect.</p> <p>3. S.O. to 16.3.2021. Liberty to move MA for amendment before next date.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 11.2.2021 11.2.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

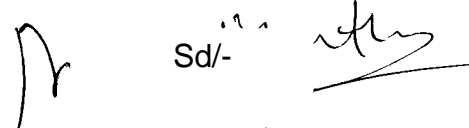
(Advocate))

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"><u>M.A. No.29 of 2021 in O.A. No.16 of 2021</u></p> <p>Amol D. Suryavanshi & 3 Ors. ..Interveners And Mahavir M. Dawane & 4 Ors. ..Applicants Vs. The State of Maharashtra & Anr. ..Respondents</p> <p>Heard Shri Vinod P. Sangvikar, learned Advocate for the Interveners, Shri Kranti L.C., learned Advocate for Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The interveners are successful candidates on merits in the PSI Limited Departmental Examination, 2017. The applicants in the OA claim reservation for appointment in promotional appointment. If the OA is allowed, the interveners are going to be effected. Hence, they are necessary parties in the OA.</p> <p>3. MA for intervention is allowed. The applicants are directed to add Interveners as party respondents. Amendment be carried out within one week. Reply be filed by respondents no.1 & 2 and added respondents. MA disposed off accordingly.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 11.2.2021</p> <p align="center">Sd/-  (Mridula R. Bhatkar, J.) Chairperson 11.2.2021</p> <p>(sgj)</p>

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

Tribunal's orders

C.A. No.88 of 2015 in O.A. No.150 of 2015

Dr. F.H.R.H. Haidry & 3 Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri V.P. Potbhare, learned Advocate for the Applicants and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.

2. This Tribunal has taken up a drive of clearing backlog and old pending cases in the Tribunal. Registry has placed this matter on board.

3. The above OA No.150 of 2015 was decided along with other OAs by common judgment and order dated 26.6.2015 of this Tribunal. However, the said judgment and order was challenged before the Hon'ble High Court in Writ Petitions No.10075/2015, 8708/2015 and 10502/2015. In the order dated 20.8.2018 the Division Bench of the Hon'ble High Court refers to the GR dated 23.3.2016 by which the Government has given effect to the judgment and order of this Tribunal subject to final decision in W.P. No.8708 of 2015. In view of the said GR the Hon'ble High Court did not grant any interim relief as the State Government has taken action subject to final outcome of the writ petitions. The Hon'ble High Court in the said order has also clarified that if the respondents-original applicants have been promoted during pendency of the writ petitions, even promotions will be subject to final outcome of the writ petitions and the three writ petitions were admitted.

4. In view of this order of the Hon'ble High Court, we dispose off this CA No.88 of 2015 with liberty to approach this Tribunal, subject to outcome of the writ petitions.

Sd/-

(P.N. Dixit)
Vice-Chairman
11.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
11.2.2021

**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
---	-------------------

11.02.2021

C.A 66/2019 in O.A 1062/2019

Dr B.T Karvekar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. In view of the final order dated 9.2.2021, in O.A 1062/2019, this C.A is disposed of.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

[Handwritten signature]
11/2/2021

**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
---	-------------------

11.02.2021

C.A 39/2020 in O.A 50/2020

Shri B.G Kshirsagar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.D Sugdare, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.
2. In this contempt application, the applicant seeks implementation of the order dated 3.2.2020 passed by this Tribunal.
3. Learned counsel for the applicant submits that notice is already served on the Contemnors.
4. Learned P.O seeks time to take instructions.
5. S.O to 5.3.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
---	-------------------

Date : 11.02.2021

O.A.No.218 of 2020 with M.A.No.231 of 2020

K.B. Vaidya ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri P.S. Anerao and Smt. Shraddha Vavhal, learned Advocates for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned P.O. files affidavit-in-reply dated 17.12.2020 in O.A.No.218/2020 of Respondents No.1 & 2, through Shri Ganesh S. Markad, Sub Divisional Officer, Sub Divisional Office, Kadegaon, Dist. Sangli. Taken on record and copy be served on learned Advocate for the Applicant

3. The learned Advocate seeks time to files affidavit-in-rejoinder.

4. Time granted. Adjourned to 08.04.2021.

Sd/-

**(P.N. Dixit)
Vice-Chairman**

Sd/-

**(Mridula Bhatkar, J.)
Chairperson**

prk

**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
---	-------------------

11.02.2021

M.A 53/2021 in O.A 96/2021

Dr M.M Mahind & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kranti L.C, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned counsel for the applicant seeks to amend the Misc Application. Permission granted. Amendment to be carried out within two weeks.

3. S.O 4.3.2021.

Sd/-

**(P.N Dixit)
Vice-Chairman (A)**

Akn

Sd/-

**(Mridula Bhatkar, J.)
Chairperson**

**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
---	-------------------

Date : 11.02.2021

O.A.No.1111 of 2019

K.S. Adagale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant, challenges the orders dated 01.06.2017 and order dated 17.01.2019 issued by Respondent No.2, Sub Divisional Officer, Patan Sub Division, Tal. Patan, District Satara and Respondent No.1, District Collector, Satara respectively. The applicant, erstwhile, was working as Thalati is removed from service.

3. No affidavit-in-reply is filed till today. There is inordinate delay in filing the affidavit-in-reply by the Respondents No.1 and 2. If affidavit is not filed on next date then the matter will be proceed without affidavit. The learned C.P.O. is directed to send this order on email to the concerned Respondents.

4. S.O. to 26.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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
---	-------------------

Date : 11.02.2021

O.A.No.1064 of 2019

S.S. Panajkar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Amol Wagh, learned Advocate holding for Shri A.A. Desai, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. submits that the applicant has already filed affidavit-in-rejoinder, but the Respondents are willing to file affidavit-in-sur-rejoinder.

3. The matter is admitted and adjourned to 05.04.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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
---	-------------------

Date : 11.02.2021

O.A.No.370 of 2020

S.U. Jawale ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Adjourned to 16.02.2021. Meanwhile the case of the applicant can be considered for promotion in view of the submission made by Mr. Khandse, Under Secretary.

Sd/-

**(P.N. Dixit)
Vice-Chairman**

Sd/-

**(Mridula Bhatkar, J.)
Chairperson**

prk

**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
---	-------------------

Date : 11.02.2021

O.A.No.487 of 2020

Dr. R. Raut & Ors. ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Vinod Sangvilkar, learned Advocate holding for Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. files affidavit-in-reply, dated 10.02.2021 for Respondent No.1 and 2, through Dr. Yuraj S. Malghe, Regional Joint Director in the office of Higher Education. The same is taken on record and copy be served to learned Advocate for the Applicant.

3. On the basis of paragraph 6 of the above affidavit-in-reply, the learned C.P.O. makes statement that the proposal of all these applicants is under active consideration

4. Adjourned to 18.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 11.02.2021

O.A.No.721 of 2020

J.M. Bhosale & Ors. ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In view of the letter dated 28.01.2021, addressed to learned C.P.O., Mumbai by Shri R.A. Khadse, Under Secretary, Govt. of Maharashtra, wherein it is mentioned that the case of the applicants is squarely covered by the judgment and order dated 13.02.2020 of M.A.T. Nagpur Bench in O.A.No.953/2019, Shri B.P. Kamble Versus State of Maharashtra.

3. We direct that the respondents to consider the Applicants for promotion. The decision should be taken on or before 28.02.2021 and the same be communicated to the applicants till 05.03.2021 as they are going to retire within a couple of months.

4. In view of the above directions, the O.A. is disposed off accordingly.

Sd/-

(P.N. Dixit)
Vice-Chairman

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
---	-------------------

Date : 11.02.2021

O.A.No.980 of 2019

S.D. Shelke ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.S. Dere, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1 & 2, Shri Bhushan A. Bandiwadekar, learned Counsel for the Respondent No.3.

2. The learned C.P.O. files affidavit -in-reply to the amendment carried out by the learned Advocate Shri Dere. The same is taken on record and copy be served to learned Advocate Shri S.S. Dere and learned Advocate Shri Bandiwadekar .

3. Adjourned to 03.03.2021. To be clubbed along with O.A.No.24/2020.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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
---	-------------------

11.02.2021

M.A 191/2020 in O.A 347/2020

Shri S.A Shinde ... Applicant

Vs.

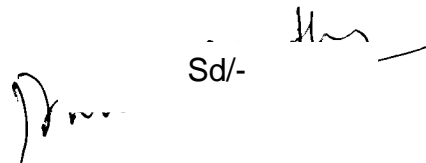
The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.

2. Learned counsel for the applicant prays for two weeks' time to file rejoinder. Time granted.

3. S.O 24.2.2021.

Sd/-



**(Mridula Bhatkar, J.)
Chairperson**

Akn

**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
---	-------------------

11.02.2021

O.A 742/2020 with M.A 324/2020

Shri S.K Darekar & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned P.O submits that she has received para wise remarks and prays for two weeks' time to file reply.

3. S.O to 1.3.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**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 .02.2021</p> <p>O.A.No.138 of 2017</p> <p>H. B. Suryawanshi & 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. Archana B. K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for adjournment on the ground that Smt. Kranti Gaikwad, learned P.O. who is in charge of the matter is unable to attend the Tribunal for a week due to said demise of her father.</p> <p>3. S.O. to 24.02.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-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

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 : 11 .02.2021</p> <p>O.A.No.677, 678, 679 & 680 of 2020</p> <p>U. R. Mode & Ors.Applicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicants has filed Rejoinder in O.A. No.677/2020 and adopted the same Rejoinder in remaining Original Applications.</p> <p>3. The matter are adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 25.02.2021.</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

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 : 11 .02.2021</p> <p>O.A.No.764 of 2020</p> <p>P. P. HikkeApplicant</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 P.O. for the Respondents, two weeks time is granted for filing reply.</p> <p>3. S.O. to 01.03.2021.</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

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 : 11 .02.2021</p> <p>O.A.No.593 of 2020</p> <p>V. M. SonawaneApplicant</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 P.O. for the Respondents, two weeks time is granted for filing reply as a last chance.</p> <p>3. S.O. to 25.02.2021.</p> <p style="text-align: right;">n Sd/-</p> <p style="text-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 _____

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>11.02.2021</u></p> <p style="text-align: center;"><u>M.A 63/2021 in O.A 1133/2018</u></p> <p>Smt Bhagyashree .A Kale & ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Pursuant to order dated 9.2.2021, the learned C.P.O submit that clause no. 7, i.e. appointment to the post of Tutor in Nursing School, which is mentioned in notification dated 22.6.2015, which states that the appointment to the post by promotion and nomination shall be made in the ratio of 75.25 respectively; is adopted by the Respondent-State while putting up the fresh proposal before His Excellency Governor. The said proposal is approved by Hon'ble The C.M and the Cabinet and is pending for the assent of His Excellency The Governor. She further submits that even though this proposal takes place as rules for the recruitment for the post of Nurses in various class and the Tutors by maintaining the ratio of 75:25 in the recruitment by promotion and nomination respectively yet this will not solve the problem of the present applicants because these rules are going to come into force prospectively and it will not have any retrospective effect.</p> <p>3. Thus, the demand of the present applicants, Nurses who seek appointment to the post of Tutors, Paediatric Nurses, Public Health Nurses and Psychiatric Nurses will remain same in view of non-availability of any such rule of appointment to these posts by way of promotion. She points out to the present existing rules of 10.1.1964 regarding the recruitment for the Nursing Personnel in Maharashtra Nursing Service, Class-III.</p> <p>4. As per the 1964 Rules, no posts can be filled up by promotion as there is no provision in the rules. To fill up of the posts of four categories i.e. Tutor, Public Health Nurses, Paediatric Nurses and Psychiatric Nurses by promotion and nomination is the issue before us. Therefore, we call upon the Respondents to give the details as under:-</p> <p>(i) Sanctioned strength in all the above categories as on today, vacancies available of these posts as on today;</p>

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

Tribunal's orders

- (ii) Posts lapsed in these categories as on today,
- (iii) How many recruitments are made by nomination from 2011 till today and the number of posts filled up in all these categories?
- (iv) How many posts were filled up by promotion in all these four categories from 2000 to 2012? The details to be collected from any two Deputy Director out of total eight Deputy Directors.
- (v) The order of the Government stopping the filling up the posts by promotion in these four categories?
5. S.O to 12.2.2021. Hamdast granted.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson