

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A.55/2021 in O.A.768/2020</u></p> <p>Shri D.T. Katke ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri S.B. Talekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned C.P.O. for Respondents.</p> <p>2. This M.A. has been filed during the pendency of O.A.No.768/2020 for production of Additional Affidavit and documents. It is heard with main O.A. O.A. is allowed by Judgment dated 11.06.2021 and hence this M.A. stands disposed of.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 11.06.2021</p> <p>(skw)</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 : 11.06.2021</p> <p align="center">O.A.No.06 of 2020</p> <p>R. M. RedekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</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. The issue involved in the present O.A. pertains to 1st Time Bound Promotion, 2nd Time Bound Promotion and 3rd Time Bound Promotion in view of new Time Bound Promotion scheme for 10, 20 and 30 years.</p> <p>3. Though, the matter is Part- Heard, in view of recent office order dated 28.05.2021, the subject of Time Bound Promotion is allotted to Division Bench.</p> <p>4. Hence, this matter is Depart-Heard.</p> <p>5. The Registrar is, therefore, directed to place the matter before appropriate bench.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 11.06.2021</p> <p align="center">O.A. No.230 of 2021</p> <p>R.R. JirepatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate holding for Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondent.</p> <p>2. Today learned P.O. has filed Additional Affidavit-in-Reply. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 08.07.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 11.06.2021</p> <p align="center">O.A. No.194 of 2021</p> <p>Dr. A.S. BendreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent. 3. On request of learned C.P.O. two weeks time is granted for filing Reply as last chance in O.A. No.194/2021. 4. This O.A. be kept with connected O.A. No.287/2021. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 11.06.2021</p> <p align="center">O.A. No.172 of 2021</p> <p>T.F. NagvekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Learned Advocate Shri M.D. Lonkar, has sent Leave Note. 3. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondent. 4. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply. 5. S.O. to 29.06.2021. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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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: 11.06.2021</p> <p align="center">O.A. No.169 of 2021</p> <p>H.R. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant his Advocate both are absent. 2. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent. 3. Learned P.O. submits that decision to reinstatement of the Applicant is already taken and he will be reinstated in service soon. Note submitted by learned P.O. is marked by letter 'X' and it is taken on record. 4. In O.A. challenged is to the suspension order dated 20.02.2021. 5. Since, decision for reinstatement is already taken O.A. has become infructuous and accordingly it is disposed of. 6. No order as to cost. <p align="right">Sd/- (A.Ā. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 11.06.2021

O.A. No.102 of 2021

A.K.N.A.K. Pathan

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondent.

2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.

3. S.O. to 29.06.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**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 : 11.06.2021</p> <p align="center">O.A.No.1062 of 2019</p> <p>Dr. B. T. KaravekarApplicant</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. Today, the matter is for filing Affidavit of Principal Secretary, Public Health Department, State of Maharashtra. However, learned P.O. requested for short adjournment to file affidavit since the Principal Secretary is on leave.</p> <p>3. S.O. to 15.06.2021.</p> <p 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 : 11.06.2021</p> <p>O.A.No.354 of 2021</p> <p>P. P. Sonar ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has filed the O.A. challenging the order dated 03.02.2021 whereby his provisional pension is stopped and secondly for gratuity. 3. The perusal of record reveals that he was convicted by Special Court under the provisions of Prevention Corruption Act and sentenced to RI for six months with fine by order dated 24.02.2020. Against the judgment of conviction, he preferred Criminal Appeal before the Hon'ble High Court vide Criminal Appeal No.36/2021 wherein sentence has been stayed. 4. Shri K.R. Jagdale, learned Counsel for the Applicant submits that since sentence is stayed, his client is entitled to pension and gratuity. This submission is totally fallacious since on conviction, a Government servant forbids pension and gratuity on conviction. O.A. itself is, therefore, not maintainable, being premature. 5. However, learned Counsel for the Applicant seeks short time to take instructions from the client. 6. S.O. to 15.06.2021. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(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 : 11.06.2021</p> <p>O.A.No.329 of 2021</p> <p>M. S. RadayeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged punishment order dated 26.03.2021 whereby his next increment has been withheld for one year without cumulative effect. Against the order of punishment, the Applicant has filed appeal before the Respondent No.3- The Special Inspector General of Police, Konkan Range, Navi Mumbai and it is pending.</p> <p>3. Learned Counsel for the Applicant submits that Applicant is due for promotion but the order of punishment is coming in his way, and therefore, there is urgency in the matter. He also submits that O.A. be disposed of with direction to decide the Appeal within reasonable time.</p> <p>4. Learned P.O. submits that O.A. is infructuous since Appeal is pending.</p> <p>5. Since the Appeal is preferred and pending, the O.A. cannot be heard on merit. Therefore, it is desirable to direct the Respondent No.3 to decide the Appeal within stipulated period so that the Applicant is not subjected to prolong agony.</p> <p>6. In view of above, O.A. is disposed of with direction to Respondent No.3 to decide the appeal within four months from today.</p> <p>7. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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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 : 11.06.2021</p> <p align="center">O.A.No.687 of 2020</p> <p>Dr. V. R. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant. Smt. Archana B.K., learned Presenting Officer for the Respondent No.1 and Shri K. R. Jagdale, learned Counsel for the Respondent No.2.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1 in compliance of order passed by this Tribunal 25.05.2021. It is taken on record.</p> <p>3. Learned Counsel for the Applicant has filed Rejoinder of the Applicant. It is taken on record.</p> <p>4. The matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 17.06.2021.</p> <p 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 : 11.06.2021</p> <p>O.A.No.361 of 2021</p> <p>S. V. Londhe ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Original Application is filed for direction to Respondent No.1 to take decision about the deemed date of promotion of the Applicant in terms of letter dated 13.11.2020 issued by the Government.</p> <p>3. The perusal of O.A. reveals that the issue pertains to deemed date of promotion in the cadre of Auditor, Grade-1. In this behalf, the Government vide letter dated 13.11.2020 directed the Respondent No.1 – Commissioner for Co-operation and Registrar of Co-operative Societies, Pune to take the decision in terms of Circular issued by the Government dated 06.06.2002 as well as G.R. dated 21.08.2015. However, the Respondent No.1 did not take any steps, therefore, O.A. is filed.</p> <p>4. In view of above, as fairly conceded by learned P.O. as well as learned Counsel for the Applicant, O.A. can be disposed of with suitable directions since the directions are already issued by the Government.</p> <p>5. In view of above, O.A. is disposed of with direction to Respondent No.1 to take decision in respect of deemed date of promotion claimed by the Applicant in the light of Government letter dated 13.11.2020 and in accordance to law within ten weeks from today <i>and it be communicated to him.</i></p> <p>6. No order as to costs.</p> <p style="text-align: right;">Sd/- _____ (A.P. Kurhekar) Member(J)</p>

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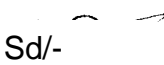
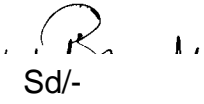
Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">O.A. No.364 of 2021 (Through Video Conferencing)</p> <p>Rahul G. Kadam & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that applicant be directed to add Deputy Director, Sports, Pune as party respondent. Applicant is directed to add Deputy Director, Sports, Pune as party respondent.</p> <p>3. The applicants pray that show cause notice dated 7.5.2021 is to be quashed and set aside and also pray to confirm the verification report dated 6.4.2017 submitted by the applicant. Applicants also seek directions that appointment order as per recommendation letters dated 7.10.2020 and 27.7.2020 be issued by respondent no.3 through Open Sports Category for the post of Assistant Motor Vehicle Inspector – 2017 in advertisement no.48/2017 dated 1.7.2017.</p> <p>4. Ld. Advocate prays for ad-interim relief that show cause notice be stayed and suspended and the respondents be injuncted from taking any adverse action against the applicants pursuant to the said letter dated 7.5.2021. Ld. Advocate submits that the said show cause notice is not maintainable.</p> <p>5. This is the first date. Ld. CPO submits that she seeks time to file reply.</p> <p>6. We have considered the submissions of Ld. Advocate for the applicants that it is not a fault of the applicants as per the impugned advertisement the Unequipped Power Lifting Competition of 2012 was considered as per advertisement. Ld. Advocate submits that as of today the said competition</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>stands as a Sports in the 5% sports category and therefore the applicant has not played any fraud and therefore this show cause notice is to be stayed and no details are mentioned about cancellation of their eligibility and the recommendation.</p> <p>7. We direct the respondents to file their reply. So also we direct the applicants to reply the said show cause notice dated 7.5.2021. The ground of maintainability as it is argued before us can also be agitated in the reply and before the concerned authority.</p> <p>8. The submission of Ld. Advocate for the applicants to pass ad interim order at this stage is rejected because we are of the view that opportunity is to be given to the respondents to file reply so that we can hear the applicants at interim stage.</p> <p>9. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>10. Issue notice before admission returnable on 9.7.2021.</p> <p>11. 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>12. 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>13. 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 style="text-align: center;">   </p> <p style="text-align: center;"> Sd/- (P.N. Dixit) Vice-Chairman 11.6.2021 Sd/- (Mridula R. Bhatkar, J.) Chairperson 11.6.2021 </p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.365 of 2021</u></p> <p>U.A. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant is terminated from service by order dated 8.2.2021 by respondent no.1 as she was involved in offences punishable under Section 420 etc of IPC.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 15.7.2021.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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 style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 11.6.2021 11.6.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.362 of 2021</u></p> <p>S.V. Londhe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Ld. Advocate submits that applicant is aggrieved by stoppage of two increments permanently by order dated 26.4.2018. He has made appeal against the same before appellate authority on 13.5.2019. Ld. Advocate further submits that the same is yet to be decided and therefore prays that same may be decided expeditiously.</p> <p>3. As the matter has been pending since 13.5.2019 before the appellate authority, we direct the appellate authority i.e. Principal Secretary, Cooperation, Marketing and Textile Department (Cooperation), Mantralaya to look into the matter and decide the case within three months and communicate the same within 15 days thereafter. OA stands disposed off.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 11.6.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 11.6.2021</p>

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	<p align="center"><u>O.A. No.356 of 2021</u></p> <p>Nitin M. Bagul ..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. Applicant has filed this OA as he is aggrieved by the impugned order dated 17.7.2020 dismissing him following DE. Ld. Advocate for the applicant submits that applicant was convicted in criminal case on 27.9.2019 for the offences punishable under Section 354 of IPC. Meanwhile DE was initiated against him in which the order was issued on 17.7.2020 dismissing the applicant. In separate development the applicant approach the Additional Sessions Judge in appeal in the criminal matter. The Additional Sessions Judge decided the appeal in his favour and set aside the conviction on 11.12.2020. In separate development the applicant approached the appellate authority in DE by making appeal on 11.8.2020. Subsequently following the acquittal by the Additional Sessions Judge, he submitted copy of the same to the appellate authority on 21.12.2020.</p> <p>3. Today during hearing we found that appeal is yet to be decided. We found that this OA is not maintainable before us.</p> <p>4. We direct the appellate authority – Respondent no.3 to decide the matter expeditiously preferably within three months. OA stands disposed off.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N/ Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 11.6.2021 11.6.2021</p> <p>(sgj)</p>

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	<p align="center"><u>M.A. No.190 of 2021 in O.A. No.364 of 2021</u> <u>(Through Video Conferencing)</u></p> <p>Rahul G. Kadam & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.A. Desai, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/- _____ (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 11.6.2021 11.6.2021</p> <p>(sgj)</p>

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	<p>Date : 11.06.2021</p> <p align="center">O.A.No.902 of 2015</p> <p>N. G. KondhalkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant seeks adjournment to enable him to contact his client and to take further instructions.</p> <p>3. S.O. to 24.06.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Date : 11.06.2021.

O.A.No.710 of 2020

D.N. Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Admit, with liberty to file affidavit-in-rejoinder.

3. S.O. to 23.07.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 11.06.2021.

**O.A.No.628 of 2020 with O.A.No.629 of 2020
with O.A.No.630 of 2020**

D.M. Bagal (O.A.628/2020)

P.S. Pawar (O.A.629/2020)

D.D. Rahinj (O.A.630/2020) ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M. Kogle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned Advocate submits that by order dated 20.04.2021 all the applicants are reinstated and order of termination is withdrawn by the Respondents.

3. In view of this nothing remains in these Original Applications. Hence all the Original Applications are disposed off.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 11.06.2021.

O.A.No.358 of 2020

M.D. Devkate ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Shri P.V. Patil, learned Advocate for Applicant and Shri S.S. Dere, learned Advocate for the Respondent No.2 are absent.

2. Admit, with liberty to file affidavit-in-rejoinder.

3. S.O. to 14.07.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 11.06.2021.

O.A.NO.363 OF 2021

S.G. Suryawanshi ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The Applicant is before this Tribunal with prayer to set aside the order passed by the Respondent No.2 as his dismissal is illegal. Accordingly, the learned Advocate was convicted earlier by the Special Judge, Ichalkaranji under the offence punishable under Section 7 and under Sections 13(1)(d) read with Section 13(2) of the Prevention of Corruption Act, 1988. Following the same the applicant was removed from service on 20.07.2015. However before the Hon'ble High Court in Criminal Appeal No.453/2015 by order dated 18.12.2020 the applicant was acquitted. Subsequently, the Applicant made representation before Respondent No.2 (Collector, Kolhapur) dated 31.12.2020. According to him, the representation is still not decided. He therefore prays that the Respondents be directed to decide the representation expeditiously.

3. Respondents are therefore directed to consider his representation particularly in the light of acquittal by the Hon'ble Bombay High Court in Criminal Appeal No.453/2015, dated 18.12.2020.

4. In view of the above, the matter be decided within a period of two months and the decision thereafter should be communicated within a period of two weeks to the applicant.

5. Matter is disposed off accordingly.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 11.06.2021.

O.A.158 of 2021 with O.A.No.223 of 2021

M.M. Dawane & Ors. (O.A.158/2021)
A.V. Dudhal & Ors. (O.A.223/2021)... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant in O.A.No.223/2021, Ms. S.P. Manchekar, learned Chief Presenting Officer, for the Respondents, Shri Mangal Bhandari, along with Shri Mangesh Deshmukh, learned Advocate for the Respondent No.261 in O.A.No.223/2021, Shri V. Sangvikar, learned Advocate for Respondent No.16 in O.A.No.158/2021, Shri C.T. Chandratre, learned Advocate for the Respondent and Shri Amol Ananda Chougale, Shri Kiran Rajkumar Nawle, and Shri Ritesh Ramakant Patil, Respondent Nos.15, 181 and 207 respectively in O.A.No.223/2021.

2. Dr. Gunratan Sadavarte, learned Advocate for the Applicant in O.A.No.158/2021 is absent.

3. Shri Mangal Bhandari, learned Advocate for the Respondent No.261 made grievance that amended copy in O.A.No.158/2021 and O.A.No. 223/2021 are not served on the Respondents.

4. Shri Ritesh Ramakant Patil, Respondent No.207 informs that he did not receive the copy of O.A. either by e-mail or any hard copy. Shri Kiran Rajkumar Nawle informs that he has received the copy of O.A. through e-mail. They seek time to engage Counsel of their choice and also to prepare for the matter.

5. As the training is going to start on 21.06.2021, the matter is adjourned to 17.06.2021 so that necessary arrangements can be made by Respondents. The learned Advocate is directed to serve all the Respondents.

6. S.O. to 17.06.2021.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 11.06.2021.

O.A.No.325 of 2021

N.S. Kamble **....Applicant**

Versus

The State of Maharashtra & Ors. ..Respondents

1. Heard Shri G.B. Pawar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Mentioned by learned Advocate for the Applicant and taken on board.
3. Learned Advocate for the applicant has requested for speaking to minutes of the order dated 09.06.2021 passed in the above O.A.
4. The following dates are to be corrected in the order dated 09.06.2021.
 - (a) "In paragraph No.2, line 2, the date '12.5.2020' should be substituted by '12.5.2021'.
 - (b) In paragraph No.2, line 4, the date '12.5.2021' should be substituted by '16.4.2021'

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 11.06.2021.

O.A.No.64 of 2021

U.T. Sarode ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Advocate makes grievance that the applicant is not receiving any pension since January, 2019.

3. Pursuant to order dated 04.01.2021 the Respondents to file short affidavit explaining the delay in respect of non-compliance of the order of the Tribunal.

4. The learned C.P.O. submits that as per her instructions the order of the Tribunal is complied with. However, she seeks some time to verify the position.

5. In view of this, matter is adjourned to two weeks to make written statement whether the order is complied or not

6. S.O. to 24.06.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 11.06.2021.

O.A.No.310 of 2020 with O.A.No.257 of 2020

P.D. Padwal (O.A.310/2020)

U.D. Thorad (O.A.257/2020) ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents /

2. The O.A.No.310/2020 is to be de-tagged from the O.A.No.257/2020 as it is already disposed off.

3. O.A.No.257/2020 is adjourned to 25.06.2021.

Sd/-

Sd/-

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

**(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
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Date : 11.06.2021.

C.A.No.30 of 2020 in O.A.No.697 of 2019

V.G. Suryvanshi ... Applicant
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Shri M.B. Kadam, learned Advocate for the Applicant is absent.

2. The learned P.O. submits that the Respondents have filed Writ Petition No.1828 of 2021 before the Hon'ble High Court and the same is yet to be heard.

3. The matter is therefore adjourned 16.11.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.344 of 2021</u></p> <p>M.M. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.L. Gurav, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The applicant has prayed in this OA to include her name in the seniority list published on 18.5.2021.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 17.8.2021.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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 style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 11.6.2021 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 11.6.2021</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.276 of 2021</u></p> <p>S.S. Prabhavale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Applicant is aggrieved by the impugned order dated 9.2.2021 in which the higher pay scale taken by him has been rejected.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 17.8.2021.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed 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>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. 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 style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 11.6.2021 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 11.6.2021</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 align="center"><u>CA.53/14 in OA.44/09, CA.54/14 in OA.173/09 & CA.55/14 in OA.54/10</u></p> <p>R.G. Joshi & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that compliance has been made and she proposes to file affidavit on the next date.</p> <p>3. Ld. Advocate submits that he does not have his brief today.</p> <p>4. S.O. to 15.6.2021.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 11.6.2021 11.6.2021</p> <p>(sgj)</p>

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

Tribunal's orders

Date : 11.06.2021.

**C.A.No.19 of 2020 in O.A.No.1158 of 2016 with
O.A.No.352 of 2017 with O.A.No.353 of 2017**

S.K. Goraksha & Ors. ... Applicants
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The learned P.O. on instructions from Shri H.G. Tarware, Senior Assistant, Worli, Dairy submits that out of 24 persons, the record of 22 persons has been verified by the office of Accountant General, Pay Verification Unit. However in respect of 2 persons there were certain queries and the same has been sent back in the month of May, 2021. He submits that within next six weeks the same would be also completed. The record of 22 persons has been submitted to the office of Accountant General for revision of their pension. He further submits that the progress regarding the same would be monitored and further report would be submitted within a period of two weeks.

3. S.O. to 13.07.2021.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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
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Date : 11.06.2021.

C.A.No.11 of 2020 in O.A.No.1112 of 2018

A.M. Mali ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.B. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Advocate for the Applicant seeks adjournment of one week for filing affidavit of service and serve the copy of the same to learned C.P.O. as well as to the Respondents.

3. Respondents are thereafter directed to submit their affidavit-in-reply within a period of four weeks.

4. Adjourned to 13.07.2021. .

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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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 align="center"><u>C.A. No.17 of 2021 in O.A. No.1020 of 2019</u> <u>(Through Video Conferencing)</u></p> <p>Navnath M. Gawali ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant informs that applicant was not reinstated till 10.6.2021.</p> <p>3. Today the matter is fixed specifically for filing affidavit in reply of Shri Atul Chavan, Superintending Engineer, Public Works Circle, Pune who is Contemnor No.2, as per order dated 3.6.2021. He was also specifically directed to remain present in the Tribunal as our order dated 24.12.2020 was not implemented till today and there is considerable delay in implementing the same. However, today Shri Atul Chavan has sent a letter dated 10.6.2021 to us that he is unable to attend this Tribunal because he is having a meeting with Hon`ble Deputy Chief Minister, State of Maharashtra. Reason given for non-attending the Tribunal is not acceptable.</p> <p>4. Once the order is passed by the judicial authority it is binding on the person. Moreover, one week time was given to him to file affidavit in reply and to remain present before us. If it was not possible for him to file affidavit and to remain present in the Tribunal, then it was his duty to inform accordingly well in advance to the Ld. PO.</p> <p>5. We make it clear that generally we do not direct any officer of the State of Maharashtra to remain present as they have to perform duties towards the public. However, in this matter we see there is a defiance of the order. Moreover in</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>the order issued by Shri Atul Chavan dated 9.6.2021 the applicant is appointed conditionally subject to decision of the Hon'ble Bombay High Court in Writ Petition No.10547 of 2019. We fail to understand what is this writ petition and how its decision is binding on the State of Maharashtra specially when under Article 141 of the Constitution of India all the Courts below and the authorities are bound to follow the order of the Hon'ble Supreme Court when the case of Dr. Jaishri Laxmanrao Patil Vs. The Chief Minister & Ors. Civil Appeal No.3123 of 2020 & Ors. is decided by the Hon'ble Supreme Court on 5.5.2021.</p> <p>6. We take a serious note of absence of Shri Atul Chavan. We saddle a cost of Rs.10,000/- (Rupees ten thousand only) which is to be paid by Shri Atul Chavan from his pocket. The cost is to be deposited in this Tribunal by 15.6.2021. Now, he is directed to remain present before us on the next date, if the order is not implemented. We make it clear, if the order is implemented then no need for him to attend the Tribunal on 15.6.2021.</p> <p>7. S.O. to 15.6.2021. Hamdast.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman 11.6.2021</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula R. Bhatkar, J.) Chairperson 11.6.2021</p> </div> </div> <p>(sgj)</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 : 11.06.2021</p> <p align="center">O.A.No.1160 of 2016</p> <p>I. M. S. ShaikhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri S. S. Dere, learned Counsel for the Applicant has sent leave note. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. S.O. to 22.06.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) 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 : 11.06.2021</p> <p align="center">O.A.No.395 of 2015</p> <p>S. R. Dharmale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D. B. Khaire, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned Counsel for the Applicants submits that presently he has no instructions from the Applicants so as to persuade with the matter and requested for adjournment so that he can give notice to the clients. 3. O.A. is of 2015 pending for long time. 4. It is obvious from the record that the Applicants are not interested in the matter. 5. O.A. is, therefore, deserved to be dismissed in default. 6. Accordingly, O.A. is dismissed in default with no order as to costs. <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 11.06.2021</p> <p align="center">O.A.No.939 of 2015</p> <p>Dr. N. G. MullaApplicant</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 Counsel for the Applicant fairly states that though he contacted his client's mother-in-law thrice, there is no response from her in the matter.</p> <p>3. Thus, the Applicant appears not interested in the matter.</p> <p>4. O.A. is, therefore, dismissed in default with no order as to costs.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (A.P. Kurhekar) Member (A) 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 : 11.06.2021</p> <p align="center">O.A.No.652 of 2015</p> <p>S. K. NikaljeApplicant</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. The facts of this case are very peculiar in nature. The Applicant has challenged the order dated 25.05.2015 passed by the Respondent No.1- Deputy Director of Land Records, Pune whereby he had cancelled the earlier order of compulsory retirement dated 31.01.2014 and the Applicant was reinstated in service. However, it is further stated in the order that there was an old D.E. initiated by charge sheet dated 28.02.2006, and therefore, it is after the decision of the said D.E. further orders in respect of D.E. initiated by charge sheet dated 26.03.2013, in which compulsory retirement order was passed, will be taken. The Applicant was accordingly reinstated in service and attends^{attends} the age of superannuation on 31.07.2017. Accordingly, retirement order was passed. Before his retirement, one more D.E. was initiated by issuance of charge sheet dated 15.07.2017. However, since the Applicant retired and thereafter died during the pendency of said D.E., it now abates.</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: 11.06.2021</p> <p align="center">M.A. No.359 of 2020 in O.A. No.807 of 2020</p> <p>J.R. GaudApplicant VersusRespondents. The State of Maharashtra & Ors.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate holding for Shri Sumant Deshpande, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Reply to M.A. as last chance.</p> <p>3. S.O. to 25.06.2021</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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	<p align="center">Date: 11.06.2021</p> <p align="center">O.A. No.294 of 2021</p> <p>J.K. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply as last chance.</p> <p>3. S.O. to 24.06.2021.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>

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	<p align="center">Date: 11.06.2021</p> <p align="center">O.A. No.802 of 2020</p> <p>P.S. PandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. 3. Adjourned for filing Rejoinder if any. 4. S.O. to 25.06.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>

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	<p>Date: 11.06.2021</p> <p>M.A. No.68 of 2021 in M.A. No.69 of 2021 in O.A. No.112 of 2018</p> <p>J.P. MadyeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Applicant and his Advocate both are absent.2. Learned Advocate Shri S.S. Dere, has sent Leave Note.3. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent.4. On request of learned P.O. two weeks time is granted for filing Reply to M.A.5. S.O. to 25.06.2021. <p style="text-align: right;">^ Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>

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	<p>Date: 11.06.2021</p> <p>M.A. No.109 of 2021 in M.A. No.585 of 2019 in M.A. No.226 of 2019 in O.A. No.761 of 2018</p> <p>M.G. KadamApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Heard Smt. Archana B.K., learned Presenting Officer for the Respondent. 3. Since Applicant and his Advocate are absent. Adjourned for hearing. 4. S.O. to 10.08.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>

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	<p>Date: 11.06.2021</p> <p align="center">M.A. No.132 of 2021 in M.A. No.180 of 2021</p> <p>F.MD. I. SourajApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Learned Advocate Smt. Punam Mahajan, has sent Leave Note. 3. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondent. 4. Adjourned to 29.07.2021. <p align="right"> [^] Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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

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	<p>Date: 11.06.2021</p> <p align="center">O.A. No.1032 of 2019</p> <p>R.S. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Shri A. Kaningdhawaj, Advocate for the Respondent No.2 is also absent. 3. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondent. 4. On request of learned P.O. three weeks time is granted for filing Reply as last chance. 5. S.O. to 02.07.2021. <p align="right"> [^] Sd/- ^v (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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

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	<p>Date: 11.06.2021</p> <p align="center">O.A. No.412 of 2020</p> <p>V.V. TamhankarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent.</p> <p>2. Perusal of record reveals that the Applicant has claimed benefit of Time Bound Promotion which pertains to Division Bench as per recent Officer Order dated 28.05.2021.</p> <p>3. Shri R.M. Kolge, learned Advocate fairly concedes this position.</p> <p>4. Matter to be placed before Division Bench.</p> <p align="center">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

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	<p align="center">Date: 11.06.2021</p> <p align="center">O.A. No.498 of 2020</p> <p>R.R. SalkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 08.07.2021.</p> <p align="right"> ^ Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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

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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: 11.06.2021</p> <p align="center">O.A. No.797 of 2020 with O.A. No.799 of 2020 with O.A. No.04 of 2021</p> <p>R.V. SolankheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Learned Advocate Smt. Punam Mahajan, has sent Leave Note. 3. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondent. 4. On request of learned P.O. two weeks time is granted for filing Reply as last chance. 5. S.O. to 18.06.2021. <p align="right"> [^] Sd/- ^w (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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

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	<p>Date: 11.06.2021</p> <p align="center">O.A. No.669 of 2020</p> <p>A.B. HotkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Heard Smt. Archana B.K., learned Presenting Officer for the Respondent. 3. Learned P.O. submits that Affidavit-in-Reply will be filed during the course of the day. Statement is accepted. Applicant to file Rejoinder if any. 4. Adjourned for hearing at the stage of admission. 5. S.O. to 25.06.2021 <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

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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: 11.06.2021</p> <p align="center">O.A. No.557 of 2020</p> <p>V.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 holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent.</p> <p>2. Shri A.V. Bandiwadekar, learned Advocate submits that he has no instructions from the client for argument. Indeed, he fairly concedes that the Applicant is already reinstated in service.</p> <p>3. In view of reinstatement in service O.A. has become infructuous and accordingly disposed of.</p> <p align="right">^ Sd/- ~ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

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

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	<p align="center">Date: 11.06.2021</p> <p align="center">O.A. No.41 of 2021</p> <p>E.B. SayyedApplicant 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 Respondent.</p> <p>2. Learned P.O. seeks one week time to file M.A. and requested to hear this O.A. after filing of M.A.</p> <p>3. S.O. to 17.06.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center"><u>O.A. No.356 of 2020</u></p> <p>M.D. Mire ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. V.K. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Reply is already filed on 5.11.2020.</p> <p>3. Admit.</p> <p>4. Place the above matter for final hearing on 29.6.2021.</p> <p align="right">Sd/- (Medha A. Gadgil) Member (A) 11.6.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.767 of 2019</u></p> <p>G.B. Kamalkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and his Advocate both are absent. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Affidavit in reply is already filed on 7.10.2019.</p> <p>3. Admit.</p> <p>4. Place the above matter for final hearing on 25.6.2021.</p> <p align="right">Sd/- (Medha A. Gadgil) Member (A) 11.6.2021</p> <p>(sgi)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.328 of 2021</u></p> <p>P.A. Bodekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 9.7.2021.</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 style="text-align: right;">Sd/- (Medha A. Gadgil) Member (A) 11.6.2021</p> <p>(sgj)</p>

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Date : 11.06.2021.

O.A.755 of 2020 with O.A.No.756 of 2020

A.P. Sonawane & Ors. (O.A.755/2020)
M.R. Sawant & Ors. (O.A.756/2020)... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer, for the Respondents. Dr. Gunratan Sadavarte, learned Advocate for the Applicant is absent.

2. The learned C.P.O. submits that affidavit-in-reply is already filed in O.A.No.755/2020. However, today she is filing affidavit-in-reply in O.A.No.756/2020, dated 09.06.2021, on behalf of Respondents No.1 to 3 through Shri Sanjay Dattatray Kamlakar, Deputy Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai. The same is taken on record. Copy of the affidavit-in-reply be served to learned Advocate through email.

3. The learned C.P.O submits that in the similar matter the order dated 27.07.2020 is passed by the Vice-Chairman of Nagpur of this Tribunal is stayed by Hon'ble Bombay High Court, Nagpur Bench by order dated 22.04.2021. She further submits that the Applicant in matter before Nagpur Bench was a 'badli class-VI employee' and therefore they were either temporary or adhoc and so therefore their regularization cannot be done. She further relies on the judgment of Hon'ble Apex Court in case of **Oil and Natural Gas Corporation Versus Krishan Gopal and Others [2020 LawSuit (SC) 130]** .

4. However, learned C.P.O. was supposed to file affidavit in reply and therefore the request is taken on record with a view to save time. The submissions of learned C.P.O. are recorded to enable the learned Advocate to assist him and to meet challenge.

5. At the request of learned Advocate matter is adjourned and fixed on 09.07.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 11.06.2021.

O.A.No.754 of 2020

B.S. Pawar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

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

2. The learned P.O. seeks one week time to file affidavit-in-reply.

3. Time granted. S.O. to 25.06.2021.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 11.06.2021.

O.A.No.729 of 2020

V.V. Ambole & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Ms. Sonali Pawar, learned Advocate holding for Shri A.R. Kapadia, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The name of learned Advocate Shri V.P. Potbhare is to be removed.

3. The learned P.O. Shri A.J. Chougule seeks two weeks to file affidavit-in-reply

4. S.O. to 02.07.2021.

Sd/-

Sd/-

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

(Mridula Bhatkar, J.)
Chairperson

prk

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	<p align="center"><u>O.As. No.277, 279 to 283, 304, 306, 307 & 324 of 2021</u></p> <p>A.M. Sapkal (OA.277/2021) A.D. Ghuge (OA.279/2021) A.A. Gaikwad (OA.280/2021) M.G. Mundhe (OA.281/2021) A.S. Auti (OA.282/2021) T.B. Suryawanshi (OA.283/2021) G.N. Kamble (OA.304/2021) P.J. Pawar (OA.306/2021) B.A. Shelke (OA.307/2021) K.D. Chemate (OA.324/2021) ..Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard V.P. Sangvikar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Not on board. Mentioned and taken on board.</p> <p>3. We have received a Praecipe today dated 11.6.2021 from the Ld. Advocate for the applicants requesting to direct the respondent authority to take the appeals in English on record without imposing conditions to file appeals in Marathi.</p> <p>4. Ld. Advocate for the applicants rely on order dated 2.5.2017 passed by the Hon'ble High Court in W.P. No.4102 of 2017 Mrs. Neelam A. Kadam & Anr. Vs. The State of Maharashtra & Ors.</p> <p>5. Ld. CPO submits that Marathi is the Language of the State and therefore filing of appeal in Marathi is correct decision of the State.</p> <p>6. We have gone through the order dated 2.5.2017 passed by the Hon'ble High Court. It is beneficial to reproduce the same:</p> <p align="center"><i>“We have heard the learned Counsel for petitioner. The petitioners are aggrieved by a circular which is annexed at Exh.A and B issued by the Civil Judge, Senior Division,</i></p>

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	<p><i>Panvel. By the said circular, the Civil Judge, Senior Division Panvel has directed all litigants and Advocates that all pleadings which are to be filed in the Panvel Court should be in Marathi language only. In our view, the said circular is patently illegal, since English is also the language of the Court. As such, we direct the Civil Judge, Senior Division, Panel to accept all the pleadings which are in English language. However, pleadings in Marathi language be also accepted with undertaking to furnish English translation of the same if required. Parties to act on an authenticated copy of this order. S.O. 15th June 2017."</i></p> <p>7. We make it clear that earlier directions to litigants and advocates to give pleadings in Marathi was issued by C.J.S.D. Panvel. The DB of the Hon'ble High Court held that, said circular is patently illegal, since English is also the language of the Court and directed the C.J.S.D. Panvel to accept all the pleadings which are in English language. However, pleadings in Marathi language be also accepted with undertaking to furnish English translation of the same, if required.</p> <p>8. This order of the Hon'ble High Court is misinterpreted by the Ld. Advocate. We make it clear that as submitted by the Ld. CPO that Marathi is the State Language of State of Maharashtra. So the procedure in different matters before various authorities in Maharashtra are generally conducted in Marathi so that ^{citizen} individual in State of Maharashtra can understand the matter or the administration wherein he or she is involved. Therefore in District and Taluka Courts the pleadings are filed in Marathi, evidence is recorded in Marathi along with English and judgments are also written many times in Marathi. Therefore, the stand taken by the Government asking the applicants or appellants to file appeal in department or before the appellate authority in Marathi is correct and there is no illegality.</p> <p>9. Therefore, the applicants are directed to file appeal in Marathi and hence time is extended upto 15.6.2021 so that appeal can be filed in Marathi and whatever English copy is there it be remain as copy on record. Praecipe dated 11.6.2021 is disposed of.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman 11.6.2021</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula R. Bhatkar, J.) Chairperson 11.6.2021</p> <p>(sgj)</p>