

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

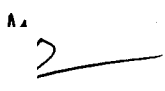
of 20

IN

Original Application No.

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.570 of 2023</u></p> <p>Dr. N.H. Shimpi ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Mr. Hitanshu Jain holding for Ms. Sneha Bhangre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time to file MA for bringing the subsequent events on record.</p> <p>3. S.O. to 25.7.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 11.7.2023 (sgj)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson 11.7.2023</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. 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 style="text-align: center;"><u>C.A. No.80 of 2022 in O.A. No.879 of 2015</u></p> <p>G.P. Wadekar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p style="text-align: center;">Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant and his advocate are not present.</p> <p>3. Shri Deepak N. Kendre, Deputy Secretary, Public Health Department is directed to file affidavit in respect of para 3 of the order dated 26.6.2023 passed in the above matter.</p> <p>4. S.O. to 18.7.2023.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>11.7.2023</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>11.7.2023</p> </div> </div>

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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"><u>O.A. No.752 of 2023</u></p> <p>Prakash T. Jagtap ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that he has served respondent on 3.7.2023. The applicant is 75 years old prays that DE initiated against the applicant on 15.9.2001 may be quashed and set aside. The applicant who was working as Additional Commissioner of Labour retired on superannuation on 31.7.2006. The enquiry officer submitted his report on 7.12.2019. Show cause notice dated 4.3.2022 was issued to him directing him to show cause as to why 25% pension should not be permanently reduced from retirement dues. The applicant gave his reply on 28.4.2022. However, he states that no action has been taken so far.</p> <p>3. Ld. PO submits that she needs three months time to take final decision in the DE.</p> <p>4. We are rather shocked to notice the inordinate delay in completing the DE, charge sheet of which was issued on 15.9.2001. We, therefore, direct the respondent to positively complete the DE and passed the order within a period of two months from today and communicate the decision to the applicant within one week thereafter. All contentions of the applicant are kept open. With these directions the OA is disposed off.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 11.7.2023 (sgj)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson 11.7.2023</p>

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	<p style="text-align: center;"><u>O.A. No.56 of 2021</u></p> <p>R.G. Ghawari ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this matter the Secretary, Social Justice and Special Assistant Department, Mantralaya, Mumbai is added as respondent no.3 as per order of amendment dated 11.4.2023.</p> <p>3. Ld. PO submits that instructions from respondent no.3 are still awaited and seeks three weeks time to file reply.</p> <p>4. S.O. to 1.8.2023 by way of last chance.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member (A) 11.7.2023</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 11.7.2023</p> </div> </div>

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	<p style="text-align: center;"><u>C.A. No.64 of 2023 in O.A. No.623 of 2023</u></p> <p>Dr. V.N. Dekate &amp; 6 Ors. ..Applicants Vs. The State of Maharashtra &amp; 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 CA is filed in the above OA in which order dated 1.6.2023 is passed by Hon'ble Member (J). Hence, the matter may be placed before Hon'ble Member (J) on 13.7.2023.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>11.7.2023</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>11.7.2023</p> </div> </div>

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	<p align="center"><u>O.A. No.626, 598, 599, 658 &amp;761 of 2023</u></p> <p>Dr. A.H. Dhanawade &amp; Ors. Dr. C.S. Lone D.D. Patil Dr. M. Chincholikar Dr. S.K. Singh &amp; Anr ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.A. Desai, learned Advocate for the Applicants in OAs. No.626, 658 &amp; 761 of 2023 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri J.S. Deshmukh, Ld. Advocate for applicants in OAs No.598 &amp; 599 of 2023 is not present.</p> <p>3. Advocates are directed to verify whether they have served copy of OA to all the respondents.</p> <p>4. S.O. to 25.7.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 11.7.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 11.7.2023</p>

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

**Tribunal's orders**

**Date : 11.07.2023**

**O.A.No.735/2023**

K.V. Badave .....Applicant  
Vs.

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

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

2. Learned P.O. on instructions from Deputy Secretary has submitted that the State wants to bring certain facts on record through affidavit for which time is required.

3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.

4. Issue notice before admission returnable on 25.07.2023.

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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.

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

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

9. At the request of learned P.O. adjourned to 18.07.2023 for filing affidavit. To be placed under the caption 'For Urgent Admission.'

Sd/-

(Medha Gadgil)  
Member (A)

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><b>Date : 11.07.2023</b></p> <p><b>M.A.No.97/2023 in O.A.No.667/2022</b></p> <p>R.H. Patil &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A. is filed seeking directions to the Respondent to publish the revised seniority list of Group-B and Group-A as per Maharashtra Development Service Group-B and Group-A respectively.</p> <p>3. Learned C.P.O. on instructions has submitted that for completion of seniority list of Group-B will take four weeks approximately and thereafter process of preparing seniority list of Group-A will be started. Thus, total four months time is required.</p> <p>4. In view of above, M.A. is allowed. O.A.No.667/2022 Adjourned to 22.08.2023. On that date learned C.P.O. to state the progress in the matter through affidavit.</p> <p style="text-align: center;">Sd/- <span style="margin-left: 200px;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="margin-left: 200px;">(Mridula Bhatkar, J.)</span> Member (A) <span style="margin-left: 200px;">Chairperson</span></p> <p style="text-align: center;">prk <span style="margin-left: 200px;"></span></p>



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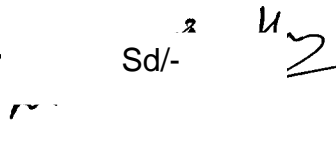
Date: 11.07.2023

O.A. No.759 of 2023

R.N. Kaningdhwaj .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S, Gaikwad learned Presenting Officer for the Respondents.
2. On request of learned P.O. two weeks time is granted to file short Affidavit-in-Reply for Interim relief.
3. S.O. to 18.07.2023.

Sd/-  
(Medha Gadgil)  
Member (A)

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

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DISTRICT

..... Applicant/s

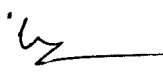
(Advocate .....

*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><b>Date : 11.07.2023</b></p> <p><b>O.A.No.386/2022 with O.A.No.552/2023</b></p> <p>R.P. Satpute &amp; Anr. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant in O.A.No.552/2022 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that Mr. Satpute is promotion and her proposal for deemed date is pending with the Government.</p> <p>3. Learned Advocate Mr. Bhosale has submitted that in O.A.No.552/2022 the Applicant challenges the promotion given to Applicant in O.A.No.386/2022.</p> <p>4. Matter is kept back.</p> <p>Later on : At the request of learned Advocate Mr. M.B. Kadam in O.A.No.552/2022 adjourned to 18.07.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/- </p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**Date : 11.07.2023**

**O.A.No.195/2021**

D.B. Koulage .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

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

2. Learned Advocate Ms. Jagdale relies on the affidavit dated 10.07.2023 filed on behalf of Additional affidavit-in-reply on behalf of Respondent No.2 through Mr. Amol Nivrutti More, Deputy Superintendent of Police, Office of C.I.D. Pune. She has submitted that the applicant seeks appointment on the post of Searcher/Police Sub Inspector (Fingerprint) in the office of Respondent No.2, Additional Director General of Police, C.I.D. Pune. She has submitted that the vacancy which arose on account of disqualification of Mr. Shriram Kulkarni within a period of waiting list and hence Respondent is ready and willing to give the appointment to the present applicant as per G.R. dated 19.09.2023.

3. Perused the G.R. dated 19.09.2023 which is at page 53. It pertains to filling up posts from eligible available candidates, if the candidates for the part time graduate are not available.

4. We direct the responsible officer from the office of Additional Director General of Police, C.I.D. Pune to remain present to answer the queries based on the said affidavit.

5. Adjourned to 12.07.2023 at 12.30 p.m.

Sd/-

(Medha Gadgil)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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	<p style="text-align: center;"><b>Date : 11.07.2023</b></p> <p style="text-align: center;"><b>O.A.No.1078/2016 (O.A.No.443/2014 Nagpur)</b></p> <p>R.D. Wardhane &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Advocate for the Respondents No.2 and 3</p> <p>2. Not on board. Sue moto taken on board at the request of learned Advocate Mr. Jagdale.</p> <p>3. Learned Advocate has submitted that in order dated 05.07.2023 his named is to be mentioned. He further stated that this matter was already fixed on 05.07.2023 and on 05.07.2023 matter was shown as adjourned to 19.07.2023, therefore learned Advocate Mr. Jagdale though was present in the Tribunal premises was not before the Tribunal. He has submitted that at the behest of learned Advocate Mr. M.M. Deshmukh appearing for Respondents No.5 and 16 the matter was taken up on board and adjourned to 02.08.2023 at his request and learned Advocate Mr. Jagdale was shown as absent. He further submitted that Mr. Deshmukh did not give him notice of the same therefore the matter should now appear on board on 19.07.2023.</p> <p>4. The submissions made by learned Advocate Mr. Jagdale are correct. Though by order dated 26.04.2023 the matter was initially adjourned to 05.07.2023, when the board was prepared on the earlier date i.e. on 04.07.2023 this matter was shown as adjourned to 19.07.2023 for want of time. However, as per the procedure followed the matter which is adjourned is also shown on the board along with its adjournment date so the said matter was shown accordingly.</p>

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**Tribunal's orders**

5. Matter was taken on board on the request of learned Advocate Mr. Deshmukh as he had come from Aurangabad and he requested that instead of 19.07.2023 this matter is to be kept on 02.08.2023 as related issue is pending before the Hon'ble High Court at Aurangabad. Therefore, this matter was adjourned to 02.08.2023 in the absence of learned Advocate Mr. Jagdale.

6. Under such circumstances, the request of learned Advocate Mr. Jagdale to take this matter on 19.07.2023 is accepted. However, the Registrar is directed to communicate Mr. Deshmukh today itself telephonically that matter though fixed on 19.07.2023 however considering the matters which are going to appear before us on 19.07.2023, we would like to inform the Advocates of all the parties that the matter will be heard on 19.07.2023 and as similar issue is pending before the Hon'ble High Court at Aurangabad, so it is going to be just formal date on 19.07.2023 as requested by learned Advocate Mr. Jagdale. Thereafter, the matter will be adjourned to 02.08.2023.

7. Adjourned to 02.08.2023.

Sd/-

(Medha Gadgil)  
Member (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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(Advocate .....

*versus*

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(Presenting Officer.....)

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	<p><b>Date : 11.07.2023</b></p> <p style="text-align: center;"><b>O.A.No.734/2023</b></p> <p>D.M. Bhoir &amp; Ors .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Kailash Jadhav, learned Advocate holding for Mr. R.G. Panchal, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate has submitted that interim relief was granted. However the said order is not appearing in the order dated 30.06.2023. Applicants have applied for the post of Forest Labour. He relies on Clause 8(d) of the proposal dated 16.10.2012. It states about 10% reservation in the recruitment in Labourer in Group C and D and part time Labourer are to be appointed in this 10% reservation and they are to be given concession upto the age of 46 years. He has submitted that all the Applicants are eligible and they are working for more than 5 years with Respondent No.3, Deputy Conservator of Forest Officer. The Applicants have submitted their forms pursuant to advertisement dated 08.06.2023.</p> <p>3. Learned P.O. has submitted that none of these applicants are having the experience certificate of five years and to hold such certificate is the requirement as per Clauses 1 and 2. It is necessary for these persons to complete 240 days per year and such experience should be minimum five years and the Applicants do not possess such certificate and therefore they are barred from appearing or participating in the process.</p> <p>3. Learned Advocate has pointed out the order dated 09.09.2020 passed by the Hon'ble High Court in Writ Petition No.92549/2020, Santosh B. Chavan &amp; Ors. Versus The State of Maharashtra &amp; Ors. By this order the Hon'ble High Court has protected the Applicants from termination.</p> <p>On perusal of the order dated 09.09.2020 it appears that the facts are different and hence it is not applicable.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. We have perused the order dated 30.06.2023 and on query learned P.O. has submitted that no such order of interim injunction was passed on 30.06.2023.</p> <p>6. Under such circumstances, we are unable to accept the statement made by learned Advocate that this Tribunal has passed the order of injunction. Mr. A.K. Nair, Sr. P.S. is asked to go through the shorthand dictation of 30.06.2023 in O.A.No.734/2023. He verified and he has confirmed that no injunction was granted on the said date.</p> <p>7. Learned Advocate has submitted that though he was present he is marked absent in the order dated 30.06.2023.</p> <p>8. We accept that learned Advocate Mr. Kailash Jadhav was present.</p> <p>9. It appears from the submissions of learned Advocate Mr. Jadhav that all these applicants have submitted the applications in specific forms along with attendance certificate. The Respondent No.3 is directed to verify their period of work and also the certificates that are issued, if they fulfill 240 days per year of continuous five years they may be considered.</p> <p>10. As the matter is heard fully on 14.07.2023 after submissions of both sides all the certificates and as per the factual position matter will be decided finally and order will be passed.</p> <p>11. Adjourned to 14.07.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p><b>Date: 11.07.2023</b></p> <p><b>O.A. No.768 of 2023</b></p> <p><b>S.P. Pandharkar .....Applicant</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <ol style="list-style-type: none"><li>1. Heard Smt. Punam Mahajn, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li><li>2. Learned P.O. has tendered copy of minutes of PEB to show that the Applicant is transferred on administrative ground. However, perusal of it reveals that what are the administrative exigencies are not mentioned even for namesake. In case of mid-term transfer there has to be specific reasons to spell out administrative exigencies which is completely missing in the present case.</li><li>3. However, admittedly the Applicant is relieved from his post and in his place Respondent No.3 has taken the charge. This being so, now the question of granting any such interim relief has become infructuous.</li><li>4. O.A. needs to be decided on its own merit.</li><li>5. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply.</li><li>6. Office to verify whether Respondent No.3 is served with the notices of O.A. and shall make endorsement accordingly.</li><li>7. O.A. be expedited.</li><li>8. S.O. to 26.07.2023.</li></ol> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> <b>Member (J)</b></p> <p>NMN</p>



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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><b>Date: 11.07.2023</b></p> <p align="center"><b>O.A. No.1261 of 2022 with M.A. No.442 of 2023</b></p> <p><b>R.P. Deshmukh</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. the Applicant has challenged communication dated 06.04.2022 issued by Respondent no.2 whereby the Applicant was asked not to attend the office. During the pendency of O.A. Respondent No.2 terminated the services of the Applicant by order dated 30.06.2023.</p> <p>3. Learned Advocate for the Applicant has therefore filed M.A. to amend O.A. so as to challenge the order dated 30.06.2023.</p> <p>4. Indeed, the Applicant is required to challenge order of termination before competent forum and it cannot be subject matter of amendment in O.A. When this aspect is brought to the notice of the learned Advocate for the Applicant he sought permission to withdraw O.A. as well as M.A. with liberty to challenge termination order dated 30.06.2023 with back-wages before competent forum.</p> <p>5. In view of above, allowed to withdraw O.A. as well as M.A. with liberty as prayed for.</p> <p>6. No order as to costs.</p> <p align="right">Sd/-  (A.P. Kurhekar)  Member (J)</p>

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

**Tribunal's orders**

**Date : 11.07.2023**

**O.A.No.733/2023**

V.J. Mane .....Applicant

Vs.

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

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

**SPEAKING TO MINUTES**

2. Not on board. Taken on board at the request of learned Advocate Ms. Mahajan. Matter is taken up in the Chamber at the request of learned Advocate Ms. Mahajan.

3. Learned Advocate Ms. Mahajan has submitted that in order dated 10.07.2023 this Tribunal had orally said that no person is to be posted at Tirhe, Solapur till next date. However, the said statement is not appearing in the order, so it is placed before me.

4. Learned P.O. fairly concedes that this direction was given by the Tribunal. However, it is not reproduced in the order.

5. In view of above, the order is now to be read as follows :

No person is to be posted at Tirhe, Solapur. One post at Tirhe, Solapur is to be kept vacant till filing of reply by learned P.O.

6. Adjourned to 18.07.2023.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

**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><b><u>11.07.2023</u></b></p> <p style="text-align: center;"><b><u>O.A 815/2023</u></b></p> <p>Shri B.R Pawar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p style="text-align: center;"><u>Speaking to the minutes</u></p> <p>1. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The application dated 11.7.2023 for Speaking to the minutes is moved by the learned C.P.O.</p> <p>3. Learned C.P.O submits that para 6 of the order dated 10.7.2023 reads as under:</p> <p style="padding-left: 40px;">“6. In view of this letter, we direct Respondent, M.P.S.C to allow the applicant to appear for the interview for the post of Assistant Chemical Analyzer, General State Services, Group-B, which is scheduled tomorrow. However, the result of the interview, if at declared, will be subject to the outcome of this Original Application and the same should be informed to all the candidates.”</p> <p>4. Ld. CPO submits that para 6 is to be substituted as below:-</p> <p style="padding-left: 40px;">“6. In view of this letter, we direct Respondent, M.P.S.C to allow the applicant to appear for the interview for the post of Assistant Chemical Analyzer, General State Services, Group-B, which is scheduled tomorrow. <u>However, his result is to be kept in sealed cover and rest of the result, if at all declared, will be subject to outcome of this Original Application.</u>”</p> <p>5. Para 6 is substituted. Hence ordered accordingly.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p style="text-align: left; margin-left: 40px;">Akn</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: 11.07.2023</p> <p>M.A. No.324 of 2023 in O.A. No.147 of 2021</p> <p>G.R. Chavan &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned C.P.O. one week time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 18.07.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 11.07.2023

M.A. No.248 of 2023 in O.A. No.388 of 2023

K.N. Bhosale & Anrs. .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri P.S. Phagnekar, learned Advocate for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. On request of learned Advocate for the Applicant two weeks time is granted to file Affidavit-in-Rejoinder.
3. S.O. to 27.07.2023.

Sd/-  
(Medha Gadgil)  
Member (A)

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 11.07.2023</b></p> <p><b>M.A. No.303 of 2023 in O.A. No.491 of 2021</b></p> <p><b>Dr. S.V. Sambhare</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Ms Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A.491/2021 the Applicant prays for considering his case. In O.A. the Applicant challenged final seniority list dated 01.01.2019 post of Assistant Commissioner Animal Husbandry qua the Applicant and submits that he is at Sr. No.186 which is to be substituted and he be upgraded in the said list at Sr. No.107. He seeks declaration from MPSC that he scored 60 marks in the interview test and he is liable to be selected in the merit list.</p> <p>3. Learned P.O. submits that Respondents have not received copy of M.A.</p> <p>4. Learned Advocate for the Applicant is directed to severe the copy of M.A.</p> <p>5. Learned Advocate for the Applicant submits that DPC is already conducted on 22.06.2023 and the name of the Applicant was not considered and she submits that his Juniors are going to be promoted, therefore one post is to be kept vacant.</p> <p>6. In such circumstances it is made clear to the Department that if promotion are given those are subject to the outcome of this O.A. and this fact be made clear in the promotion order of that post.</p> <p>7. S.O. to 25.07.2023.</p> <p style="text-align: center;">Sd/-  (Medha Gadgil)  Member (A)</p> <p style="text-align: center;">Sd/-  (Mridula R. Bhatkar, J.)  Chairperson</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><b>Date : 11.07.2023</b></p> <p><b>O.A.No.1034/2016</b></p> <p>P.B. Suryawanshi .....Applicants. Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant is absent.</p> <p>3. Applicant challenges the order dated 08.07.2016 passed by Respondent No.1 under which the Applicant is informed that the appointment of Respondent No.2 as vehicle driver on the vacant post meant for Open Category though belonging to Schedule caste reserve category. Therefore on merit Applicant prays that he be appointed as he challenges the appointment of Respondent No.2 as vehicle driver, it being illegal for failure to obtain no objection of his previous employer. Applicant prays that Respondent is obliged to fill up total five posts of vehicle driver as mentioned in advertisement and the applicant pursuant to the advertisement dated 24.08.2013 has filled the forms for the total posts of vehicle driver. The Applicant was allowed to participate in the Selection Process i.e. written examination after scrutiny. Thereafter the merit list was published. The name of Respondent No.2 appeared at Sr. No.1 as he has secured 88 marks and the name of the Applicant appeared at Sr. No.2 who had secured 84</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>marks. The final merit list was published in which the name of the Applicant was shown at Sr. No.7 with 88 marks and the name of Respondent No.2 at Sr. No.1 with 94 marks and Respondent No.2 was appointed on the post of vehicle driver.</p> <p>4. Learned P.O. has submitted that the Applicant was not selected because his name appeared at Sr. No.7 and he had secured 88 marks. She relies on the affidavit in reply dated 29.11.2016 filed on behalf of Respondent No.1 through Mr. Mahesh S. Botale, working as Chief Administrative Officer, office of Director of Health Services. She pointed out that in paragraph No.9 of the said affidavit wherein it is mentioned that there are two vacancies of vehicle driver however due to typographical error it was shown as 5 and this facts was brought to the notice of the Applicant when he was in the office of Respondent No.1. Learned P.O. has submitted that Respondent No.2 is from Scheduled Caste category, but however he is selected in Open Category on merit.</p> <p>5. Matter kept back.</p> <p>Later on :</p> <p>6. Learned Advocate Mr. Bandiwadekar appeared and sought time.</p> <p>7. Adjourned to 12.07.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>



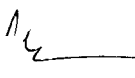
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.289 of 2016</u></p> <p>Shrikant L. Pawar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. MA No.518 of 2022 is filed in OA No.289 of 2016 which is notarized by Advocate Shri Shivaji N. Dhanage, Notary, Govt. of India and registered at Page No.79, Sr. No.537 on 5.5.2022.</p> <p>3. Advocate Shri Shivaji N. Dhanage, Notary is personally present in the Court and produces his Notarial Register of 5.5.2022 which contains Sr. Nos.145 to 167 from pages 23 to 25. Advocate Shri S.N. Dhanage makes a statement that he has not notarised and signed the said affidavit/verification dated 5.5.2022. He states that his seal and stamps are stolen and he has lodged a complaint. He also produces a copy of complaint filed by him on 22.11.2022 in Colaba Police Station, Mumbai against one Mr. Kamal Pasha Haslain, informing that said Mr. K.P. Haslain has prepared duplicate seal and stamps and misusing the same.</p> <p>4. The affidavit/verification dated 5.5.2022 is a forged document filed in the judicial proceedings. We direct the O.S.D. (Legal) to lodge a complaint with Senior Police Inspector, Cuffe Parade Police Station, Mumbai for investigation in this matter.</p> <p align="right">Sd/- </p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 11.7.2023 11.7.2023</p> <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 align="center"><b>Date: 11.07.2023</b></p> <p align="center"><b>O.A. No.637 of 2023</b></p> <p><b>R.R. Yadav</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 19.07.2023.</p> <p align="right">Sd/- <b>(A.P. Kurhekar)</b> <b>Member (J)</b></p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**Date: 11.07.2023**

**O.A. No.193 of 2023**

**J.R. Chavan .....Applicant**  
**Versus**  
**The State of Maharashtra & Ors. ....Respondents.**

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.

3. S.O. to 08.08.2023.

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

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 11.07.2023</b></p> <p><b>O.A. No.807 of 2023</b></p> <p><b>V.P. Jadhav</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri A.V. Bandiwadekar, learned Advocate for the Respondent No.4.</li> <li>2. The Applicant has challenged transfer order dated 28.06.2023 issued in favor of Respondent No.4.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 09.08.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <b>seven</b> days or service report on affidavit is not filed <b>three</b> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<b>for Dismissal</b>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 09.08.2023.</li> </ol> <p style="text-align: right;">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 11.07.2023</b></p> <p align="center"><b>O.A. No.765 of 2023</b></p> <p><b>M.B. Kanitkar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record. Copy be served to other side.</li> <li>3. Two weeks time is granted to learned Advocate for the Applicant to file Rejoinder.</li> <li>4. Office is directed to verify service of O.A. to Respondent No.2 and shall make endorsement accordingly.</li> <li>5. S.O. to 26.07.2023.</li> </ol> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></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
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**Date: 11.07.2023**

**O.A. No.531 of 2023**

**Dr. S.D. Suryawanshi** .....Applicant  
**Versus**  
**The State of Maharashtra & Ors.** .....Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Shri D.B. Khaire, learned Advocate for the Respondent No.2 is absent.

2. When the matter is taken up for hearing, Shri A.V. Bandiwadekar, learned Advocate for the Applicant submits that matter needs to be ~~heard~~ <sup>heard</sup> by Hon'ble Chairperson and he would file precipice for the same.

3. In view of above, matter is removed from board.

Sd/-

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

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 11.07.2023

O.A. No.810 of 2023

R.B. Vaishnav & Ors., .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri Inamdar instructed by Shri V. Golambade, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The perusal of record reveals that the notices are not yet issued to the Respondent. The Applicant has challenged transfer order dated 30.06.2023. Admittedly, they have completed normal tenure and are due for Transfer.

3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.

4. Issue notice before admission returnable on 09.08.2023.

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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.

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

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

9. S.O. to 09.08.2023.

Sd/-

(A.P. Kurhekar)  
Member (J)

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

Tribunal's orders

Date: 11.07.2023

O. A. No.706 of 2023

P.D. Gadhave .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

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

2. Learned Advocate for the Applicant has appointed out that the Tribunal by order dated 07.07.2023 granted interim relief to keep one post of Circle Officer, Panchgani, Mahabaleshwar vacant if nobody is posted but notices to the Respondents are not issued.

3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.

4. Issue notice before admission returnable on 08.08.2023.

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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.

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

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

9. S.O. to 08.08.2023.

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Sd/-

(A.P. Kurhekar)  
Member (J)



**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 : 11.07.2023

O.A.No.158 of 2023

Dr. D. G. Biradar

....Applicant

Versus

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

1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned P.O. is present.
2. Learned P.O. sought permission to tender Affidavit in Reply on behalf of Respondent Nos. 1 to 4.
3. Since O.A. is already proceeded without reply, allowed to file reply to decide the matter on merit. It is taken on record.
3. O.A. be kept for final hearing.
4. S.O. to 11.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.491 of 2022

R. K. Hiramani & Ors. ...Applicants

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. During the course of hearing, query was raised to learned P.O. about Recruitment Rules for the post of Health Servant, Health Assistant, Health Supervisor and Assistant District Malaria ~~enforced~~ <sup>in force</sup> at the time of appointment of the Applicant.

3. This issue has been raised since the old Recruitment Rules are not forthcoming on record.

4. On request of learned P.O., the matter is adjourned to 12.07.2023 for tendering Recruitment Rules ~~enforced~~ <sup>in force</sup> at the time of appointment of the Applicant.

5. S.O. to 12.07.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.773, 774, 775, 776, 777, 778, 779, 780 & 781 of 2023

S. D. Gunjal & Ors. ....Applicants

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. In these group of O.As, the Applicants have challenged transfer order dated 30.06.2023.
3. Learned Counsel for the Applicants sought interim relief to stay the transfer order inter-alia contending that it is in contravention of provision of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.
4. Learned P.O. sought one day time to tender file for consideration of interim relief.
5. S.O. to 12.07.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023</p> <p align="center">O.A.No.30 of 2023</p> <p>G. N. Tate <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondents and Shri A. Misal, learned Counsel for Respondent No.3.</p> <p>2. The O.A. is filed for interest on delayed payment of retiral benefits.</p> <p>3. When the matter is taken up for hearing, learned P.O. has tendered letter dated 08.06.2023 issued by the Respondent No.2 - Commissioner for Agriculture, Pune to the Government for approval of interest of Rs.7,86,711/- calculated by the department. The letter is taken on record and marked by letter 'x'.</p> <p>4. Thus, the issue of payment of interest is now under consideration of Respondent No.1-Government.</p> <p>5. Learned P.O. sought two weeks' time so that by that time the Government can pass appropriate order on the claim of interest.</p> <p>6. S.O. to 25.07.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p align="left">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 11.07.2023</p> <p>M. A. No.307 of 2023 in O.A.No.498 of 2023</p> <p>T. B. Pachpute ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri V. N. More, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to condone the delay of 78 days caused in filing O.A. challenging communications dated 11.02.2022 and 31.05.2022 whereby representation of the Applicant for changing nomenclature of his post was rejected thereby causing monetary loss.</p> <p>3. Since the Applicant is retired, in the interest of justice, the delay of 78 days caused in filing O.A. is condoned so as to decide the matter on merit.</p> <p>4. The delay is condoned. M.A. is allowed.</p> <p>5. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 11.07.2023</p> <p>O.A.No.498 of 2023</p> <p>T. B. Pachpute ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri V. N. More, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged communications dated 11.02.2022, 31.05.2022 and 08.08.2022 thereby rejecting his claim for change of nomenclature of his post.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 08.08.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</li> <li>9. S.O. to 08.08.2023.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 11.07.2023</b></p> <p align="center"><b>O.A. No.805 of 2023</b></p> <p><b>M.M. Waghmare</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.R. Joshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged transfer order dated 29.06.2023 mainly on the ground that options were not considered and sought extension on the ground of pregnancy of his wife.</li> <li>3. Admittedly, the Applicant was due for transfer. Whether there is breach of G.R. dated 09.04.2018 is the question to be decided on merit. Indeed, there is no provision in G.R. dated 09.04.2018 for extension of tenure in case of spouse is pregnant.</li> <li>4. In view of above, no case is made out to grant interim relief to stay transfer order.</li> <li>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>6. Issue notice before admission returnable on 08.08.2023.</li> <li>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> </ol>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>11. S.O. to 08.08.2023.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Tribunal's orders</b> <b>Date : 11.07.2023</b></p>
	<p><b>O.A.No.762/2023</b></p> <p>V.H. Bharti &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pursued the short affidavit-in-reply dated 06.07.2023 filed on behalf of Respondents No.1 &amp; 2, through Mr. Shailesh Ramchandra Patankar, Chief Administrative Officer, office of Deputy Director of Health Services, Thane Circle, Thane. It is found that after the judgment dated 25.07.2017 passed by the Hon'ble High Court in <b>Writ Petition No.2797/2015 with Civil Application No.2301/2015 &amp; Ors. (The State of Maharashtra Versus Shri Vijay Ghogre &amp; Ors.)</b>, the Government issued G.R. dated 18.02.2021 and thereby deciding that all promotions are to be made without reservation in respect of Government servants appointed on 25.05.2004. However, the Applicants were promoted by order dated 08.04.2021 disregard to Clause 2 of G.R. dated 18.02.2021. However the G.R. dated 18.02.2021 was superseded by G.R. dated 20.04.2021 and thus by G.R. dated 20.04.2022 again the decision was taken to keep 33% posts vacant till the decision of the Hon'ble Supreme Court. Thereafter again the Government issued G.R. dated 07.05.2021 by which the G.R. dated 20.04.2021 is superseded. As per Clause 3 of the G.R. dated 07.05.2021, Applicants No.1 and 2</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p>are covered under Rule 3(b) and Applicant No.5 is covered under Rule 3(a). Thus, Applicant No.5 cannot be regulated as per G.R. dated 25.05.2004 as his appointment is of the year 2000. Applicants were given 2<sup>nd</sup> promotion prior to the date of G.R. i.e. 07.05.2021. The said G.R. is prospectively applicable in view of plain reading of the later part of Clause 4 of the said G.R.</p> <p>3. Prima facie, we are inclined to grant interim relief and show cause notice dated 06.07.2023 issued by Respondent No.1 is hereby stayed till detailed reply is filed by the Respondents.</p> <p>4. Adjourned to 08.08.2023.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> <b>Member (A)</b></p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>pk</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><b>Date : 11.07.2023</b></p> <p><b>C.A.No.35/2021 in O.A.No.229/2019 with O.A.No.408/2022</b></p> <p>A. Nazirkar &amp; Ors. ....ApplicantS Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. We would like to know inspite of specific order that Class of 45 recommended candidates are not to be considered while filling up 57 vacancies then why the Applicants were not given appointment against those posts.</p> <p>3. Last chance granted. We direct the concerned officer, who is able to answer and make affidavit should remain present.</p> <p>4. Adjourned to 18.07.2023.</p> <p style="text-align: center;">Sd/-</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p><i>(Signature)</i> <b>(Medha Gadgil)</b> <b>Member (A)</b></p> </div> <div style="text-align: center;"> <p><i>(Signature)</i> <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> </div> </div> <p style="text-align: left; margin-left: 20px;">prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 11.07.2023</b></p> <p><b>O.A.No.817/2023</b></p> <p>S.B. Gore .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. R.B. Khot, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant has applied for the post of Legal Assistant, Group (B) (Non Gazette) in OBC category pursuant to advertisement dated 21.10.2022. Applicant cleared the written examination, thereafter interviews were conducted and merit list was published wherein his name appeared. Applicant's name appeared at Sr. No.17 in the merit list and Respondent No.3's name appeared at Sr. No.11. Both Applicant and Respondent No.3 have applied in OBC category. Respondent No.3 secured 143 marks and applicant secured 140.50 marks. Thereafter recommendation list was published on 23.06.2023. Applicant's name did not appear in the said recommendation list.</p> <p>3. Learned Advocate Mr. Khot relied on Clause 7.2 of the advertisement dated 21.10.2022. Learned Advocate has submitted that as per table shown in Clause 7.2, the cut off the age of the candidate should be 25 years as on 01.02.2023. The date of birth of Respondent No.3 is 30.10.1999, therefore as on 01.02.2023 he is 23 years and 3 months. Therefore, Respondent No.3's appointment is challenged by the Applicant.</p> <p>4. Learned C.P.O. seeks time to take instructions.</p> <p>5. Adjourned to 13.07.2023 at 10.30 a.m. To be shown under the caption 'For Urgent Admission'</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 11.07.2023</b></p> <p align="center"><b>O.A.No.265/2023</b></p> <p>P.J. Ganjale .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant is absent.</p> <p>3. Learned P.O. has submitted that reply is ready, however, inadvertently it remained to the filed. Today, the reply is filed.</p> <p>4. It be taken on record. Copy be served upon the concerned. Learned Advocate Mr. Bandiwadekar to consider the reply and file rejoinder, if any.</p> <p>5. Adjourned to 18.07.2023.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 11.07.2023</b></p> <p><b>O.A.No.796/2023</b></p> <p>P.P. Bade .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"><li>1. Heard Mr. Ganesh Masurkar, learned Advocate holding for Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li><li>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li><li>3. Issue notice before admission returnable on 25.07.2023.</li><li>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li><li>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.</li><li>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li><li>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</li><li>8. Adjourned to 25.07.2023.</li></ol> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span></p> <p style="text-align: left;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 11.07.2023</p> <p>O.A.No.48 of 2023</p> <p>K. A. Shinde ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"><li>1. The Applicant has filed the matter in person but absent today. Smt. Kranti Gaikwad, learned P.O. is present.</li><li>2. The matter is adjourned for final hearing.</li><li>3. S.O. to 09.08.2023.</li></ol> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 11.07.2023</p> <p>O.A.No.646 of 2023</p> <p>S. R. Bhadange ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought one week time to file Affidavit in Reply.</p> <p>3. S.O. to 18.07.2023.</p> <p style="text-align: center;">N</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 11.07.2023

O.A.No.293 of 2022  
(DB)

S. A. Parabatrao ....Applicant

Versus

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

1. Heard Shri A. Gharate, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today, since the Division Bench is not available, the matter is adjourned for final hearing.

3. S.O. to 10.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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
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Date : 11.07.2023

O.A.No.994 of 2022  
(DB)

P. B Bagal ....Applicant

Versus

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

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

2. Today, learned C.P.O. has filed Affidavit in Reply on behalf of Respondent Nos.1 and 2. It is taken on record. No separate reply is filed on behalf of Respondent No.3.

3. Two weeks' time is granted to file Rejoinder.

4. S.O. to 25.07.2023.

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

vsm

**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 : 11.07.2023

O.A.No.346 of 2023

G. S. Shirke ....Applicant

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.

3. The O.A. be kept for hearing at the stage of admission.

4. S.O. to 10.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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
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Date : 11.07.2023

O.A.No.36 of 2023

R. K. Lakhe ....Applicant

Versus

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

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

2. Today, the matter is for filing Rejoinder but same is not filed.

3. Matter is admitted and adjourned for final hearing.

4. S.O. to 10.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 11.07.2023</p> <p style="text-align: center;">O.A.No.789 of 2023 with O.A.No.790 of 2023</p> <p>S. M. Medhe P. A. Sawant</p> <p style="text-align: right;">....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors.      ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The Applicants have challenged the order dated 17.05.2023 to the extent of posting and allotment of division in terms of cadre allotment rules.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 08.08.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</li> <li>9. S.O. to 08.08.2023.</li> <li>10. The issue of interim relief is kept open.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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 : 11.07.2023</p> <p>O.A.No.766 of 2023</p> <p>P. D. Mohite ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought one week time to file Affidavit in Reply.</p> <p>3. S.O. to 18.07.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 11.07.2023</p> <p style="text-align: center;">O.A.No.763 of 2023</p> <p>S. D. Jadhav .....Applicant Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged the order dated 05.12.2022 thereby restricting the claim for pay and allowances to the extent of 50% for out of service period.</li> <li>3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 08.08.2023.</li> <li>5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> <li>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</li> <li>8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</li> <li>9. S.O. to 08.08.2023</li> </ol> <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 : 11.07.2023</p> <p>M. A. No.29 of 2023 in R.A.No.1 of 2023 in O.A.No.87 of 2019</p> <p>M. M. Y. Daruwala ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks' time is granted to file reply to M.A.</p> <p>3. S.O. to 25.07.2023.</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
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Date : 11.07.2023

M. A. No.281 of 2023 in O. A. No.176 of 2021

S. C. Jadhav ...Applicant

Versus

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

1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.

2. This M.A. is filed in pending O.A. for condonation of delay.

3. Two weeks' time is granted to learned P.O. to file reply in M.A.

4. S.O. to 26.07.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.632 of 2023

R. K. Pawar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Purva Pradhan holding for Shri D. B. Khaire, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent Nos.1 and 2 and Shri Gharate, learned Counsel for Respondent No.3.

2. Two weeks time is granted to file Affidavit in Reply.

3. S.O. to 26.07.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.613 of 2023

M. M. Salunke .....Applicant

Versus

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

1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.

2. Today, the matter is for filing Rejoinder but the same is not filed.

3. O.A. be kept for hearing at the stage of admission.

4. S.O. to 11.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.596 of 2023

Aruna S. Gaikwad ....Applicant

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Enough time is granted to file reply but the same is not filed neither representation is decided as directed by the Tribunal by order dated 28.06.2023.
3. The O.A to proceed without reply and be kept for final hearing.
4. S.O. to 10.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.540 of 2023

R. H. Shinde .....Applicant

Versus

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

1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.
3. The matter is adjourned for hearing at the stage of admission.
4. S.O. to 10.08.2023.

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

vsm

**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 : 11.07.2023

O.A.No.419 of 2023

S. B. Atkale

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. On request of learned P.O., two weeks' time is granted to file reply by way of last chance.

3. S.O. to 26.07.2023.

Sd/-

v

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.375 of 2023

U. K. Kor & Ors. ....Applicants

Versus

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

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

2. Today, learned P.O. has filed reply on behalf of Respondent Nos.1 to 3. It is taken on record.

3. Two weeks time is granted filing Rejoinder.

4. S.O. to 28.07.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.1024 of 2022 with O.A.763 of 2022 with  
O.A.No.1053 of 2022 with C.A. No.08 of 2021 in  
O.A.848 of 2018  
(DB)

Y. A. Ahire & Ors. ....Applicants

Versus

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

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants in O.A.1024/2022 & 1053/2022, Shri M. D. Lonkar, learned Counsel for the Applicants in O.A.No.763/2022, Shri A. A. Gharate, learned Counsel for Private Respondent in O.A.No.763/2022 and in C. A. No.08/2021 in O.A.848/2018 and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Three weeks' time is granted to learned C.P.O. to file reply in O.A.No.1024/2022 and Shri Gharate, learned Counsel for the private Respondent in O.A.No.763/2022.

3. S.O. to 01.08.2023 as a last chance.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm



**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 : 11.07.2023

O.A.No.1176 of 2022  
(DB)

N. S. Tikhe ....Applicant

Versus

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

1. The Applicant and his Counsel are absent. Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri U. V. Bhosale, learned Counsel for Respondent Nos.25 and 32 are present.

2. Two weeks' time is granted to file Affidavit in Reply.

3. S.O. to 26.07.2023.

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

vsm

**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 : 11.07.2023

O.A.No.1198 of 2022  
(DB)

G. M. Chaudhari .....Applicant

Versus

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

1. Heard Shri G. B. Solanke, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Today, learned Counsel for the Applicant has filed Affidavit in Rejoinder. It is taken on record.
3. Since, pleading is complete, the O.A. be kept for final hearing.
4. S.O. to 10.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

C. A. No.52 of 2023 in O.A.No.964 of 2022  
(DB)

D. D. Shirsat ...Applicant

Versus

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

1. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Learned P.O. fairly submits that W.P. challenging the order passed by the Tribunal is dismissed and now department is taking steps to comply the order passed by the Tribunal on 22.12.2022.

3. The Tribunal by order dated 22.12.2022 passed in O.A.No.964/2022 directed to release difference of commutation within six weeks. Now, the period of six months is over. There was no stay to the order passed by the Tribunal by the Hon'ble High Court that apart W.P. is also dismissed.

4. In view of above, one week time is granted for compliance of the order failing to which further action would be initiated.

5. S.O. to 18.07.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**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 : 11.07.2023

O.A.No.1230 of 2022  
With  
M.A.No.48 of 2023  
(DB)

B. M. Sonar & Ors.  
A. V. Charate & Ors. ....Applicants

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant in O.A.1230/2022 and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. The Applicant and his Counsel in M.A.48/2023 are absent.
2. Since today, Division Bench is not available, the matter is adjourned.
3. S.O. to 09.08.2023.

Sd/-

(A.P. Kurhekar)  
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

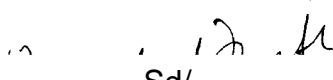
(Advocate .....)

*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><b><u>11.07.2023</u></b></p> <p><b><u>O.A 862/2019</u></b></p> <p>Shri B.R Pawar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p><u>Speaking to the minutes</u></p> <p>1. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The application dated 11.7.2023 for Speaking to the minutes is moved by the learned C.P.O.</p> <p>3. Learned C.P.O submits that para 6 of the order dated 10.7.2023 reads as under:</p> <p>“6. In view of this letter, we direct Respondent, M.P.S.C to allow the applicant to appear for the interview for the post of Assistant Chemical Analyzer, General State Services, Group-B, which is scheduled tomorrow. However, the result of the interview, if at declared, will be subject to the outcome of this Original Application and the same should be informed to all the candidates.”</p> <p>4. Ld. CPO submits that para 6 is to be substituted as below:-</p> <p>“6. In view of this letter, we direct Respondent, M.P.S.C to allow the applicant to appear for the interview for the post of Assistant Chemical Analyzer, General State Services, Group-B, which is scheduled tomorrow. <u>However, his result is to be kept in sealed cover and rest of the result, if at all declared, will be subject to outcome of this Original Application.</u>”</p> <p>5. Para 6 is substituted. Hence ordered accordingly.</p> <p>Sd/-  Sd/-</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) / Chairperson</p> <p>Akn</p>