

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p align="center"><b><u>11.11.2022</u></b></p> <p align="center"><b><u>C.A 1/2022 in O.A 370/2019</u></b></p> <p>Shri L.T Rathod ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri P.L Rathod, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O informs that a Committee is constituted. It is expected that the said Committee shall take decision after following the judgment of this Tribunal as the contempt proceedings are pending before this Tribunal. The Committee may give audience to the applicant so that the matter can be adjudicated in a better way and short span by the Committee.</p> <p>3. S.O to 9.12.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil)<br/>Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>Akn</p> |

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|   | <p><b><u>11.11.2022</u></b></p> <p><b><u>O.A 1097/2022</u></b></p> <p>Shri Kiran S. Toradmal ... Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Smt Kavita Shinde, Head Clerk in the office of Superintendent of Police, Railways, Pune is directed to remain present before this Tribunal along with all the record on 14.11.2022 at 10.30.</p> <p>3. S.O to 14.11.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p><b>(Medha Gadgil)</b><br/><b>Member (A)</b></p> <p><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>Akn</p> |



| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p>Date: 11.11.2022</p> <p style="text-align: center;">O.A. No.1087 of 2022</p> <p>M.M. Ghevade .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant is seeking direction for Inter-Cadre Transfer (Mufusal Cadre) to District Cadre at the establishment of Superintendent of Police, Kolhapur since his wife is serving at Kolhapur. He made representation on 24.05.2022 to the Respondent No.2 – D.G.P. but it is not responded till date. Applicant has therefore filed the present O.A.</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 09.12.2022.</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 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.</li> <li>9. S.O. to 09.12.2022.</li> </ol> <p style="text-align: right;">Sd/-<br/><br/>(A.P. Kurhekar)<br/>Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p><b>Date: 11.11.2022</b></p> <p align="center"><b>O.A. No.595 of 2022</b></p> <p><b>S.R. Misal</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply to the amendment made in O.A. It is taken on record.</p> <p>4. O.A. is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 16.11.2022.</p> <p align="right">Sd/-<br/><br/>(A.P. Kurhekar)<br/>Member (J)</p> <p>NMN</p> |

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|---|--|
|   | <p>Date : 11.11.2022</p> <p>M. A. No.625 of 2022 in O.A.No.327 of 2017</p> <p>Arun S. Ambudkar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Prachi Hendre holding for Shri V. V. Joshi, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is for restoration of O.A. which is dismissed in default.</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 02.12.2022.</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 M.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 <del>Original</del> / 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 <del>Original</del> / Miscellaneous Application shall stand dismissed.</li> <li>9. S.O. to 02.12.2022.</li> </ol> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A.P. Kurhekar)<br/>Member(J)</p> |

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|   | <p>Date : 11.11.2022</p> <p style="text-align: center;"><b>O.A.No.1112 of 2022</b></p> <p><b>R. D. Popalghat</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant raised grievance against the Respondent No.4 for not relieving her though suspension has been revoked and the order is passed by the Additional Commissioner Tribal Development Department, Nashik to reinstate her.</p> <p>3. The perusal of record reveals that the Applicant was suspended by order dated 31.12.2021 by Respondent No.4 – Project Officer and Additional Collector Integrated Tribal Development Project, Nandurbar. However, later Respondent No.4 who is the Appointing Authority of the Applicant has reinstated her by order dated 07.06.2022 and reposted her at Government Ashram School, Chass, Tal. Sinner, Dist. Nashik. However, the Applicant raised grievance that the Respondent No.4 has not relieved her despite various representations.</p> <p>4. When the Competent Authority has already passed the order of revocation of suspension and reinstatement in service, the Respondent No.4 ought to have relieved the Applicant since the period of more than five months is over from the order of reinstatement.</p> <p>5. In view of above, learned P.O. is directed to take instructions from the Respondent No.4 as to why the Applicant is not relieved and apprise the Tribunal at 2.30. P.M.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> <p style="text-align: right;"><i>P.T.O</i></p> |

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|   | <p><b>LATER ON</b></p> <p>6. In afternoon session learned P.O. on instruction submits that Respondent No.4 had forwarded proposal dated 27.06.2022 to the Additional Commissioner, Tribal Development Department (Respondent No.3) to modify his posting order dated 07.06.2022. This seems to be reason for not relieving the Applicant. She has also tendered letter to that effect which is taken on record and marked as letter 'X'.</p> <p>7. Perusal of letter tendered by learned P.O. reveals that he had forwarded proposal to Respondent No.3 on 27.06.2022 for change of posting and continuation of the Applicant at the same place. Notably, period of more than five months is over for the proposal dated 27.06.2022 which seems to have been not accepted by Respondent No.3 till date. In other words, there is no modification of letter dated 27.06.2022 by competent authority and it is in force.</p> <p>8. In view of above, O.A. is disposed of with direction to the Respondent No.4 to relieve the Applicant immediately so as to join at Government Ashram School, Chass, Tal. Sinner, District Nashik in terms of order dated 07.06.2022 passed by Respondent No.3.</p> <p>9. O.A. is accordingly disposed of with no order as to costs.</p> <p>10. The Applicant is at liberty to make representation or redress the grievances for pay and allowance independently.</p> <p align="right">Sd/-<br/>✓<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p align="right">[P.T.O.]</p> |



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|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.385 of 2022</b></p> <p>S.K. Hankare &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. files reply.</p> <p>3. Interim relief to be continued till next date.<br/>Adjourned 06.01.2023.</p> <p style="text-align: center;">Sd/-<br/><b>(Medha Gadgil)</b><br/>Member(A)</p> <p style="text-align: center;">Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> <p>prk</p> |

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|---|---|
|   | <p><b>Date : 10.11.2022</b></p> <p style="text-align: center;"><b>C.A.No.19 of 2022 in O.A.No.776 of 2015</b></p> <p>P.G. Sondkar .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned P.O. seeks time for compliance of the order passed in O.A.No.776/2015.</p> <p>3. Adjourned to 25.11.2022.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p><b>(Medha Gadgil)</b><br/>Member(A)</p> <p style="font-size: small;">prk</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> </div> </div> |

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|   | <p style="text-align: center;"><u>O.A. No.1070 of 2022</u></p> <p>Ravi B. Pawar ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 16.11.2022. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may 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. 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>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/-<br/>(Medha Gadgil)<br/>Member (A)<br/>11.11.2022<br/>(sgj)</p> <p style="text-align: center;">Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson<br/>11.11.2022</p> |

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(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.258 of 2020</b></p> <p>C.A. Rane .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned Advocate seeks time to file rejoinder.</p> <p>3. Adjourned to 25.11.2022.</p> <p>Sd/-<br/>(Medha Gadgil)<br/>Member(A)<br/>prk</p> <p>Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> |

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|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.757 of 2020</b></p> <p>C.M. Kabade .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Jyoti Kawade, learned Advocate holding for Mr. P.B. Kulkarni, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned Advocate submits that reply to the amendment O.A. is not filed.</p> <p>3. Time granted to learned C.P.O. to file reply to the amendment O.A. by way of last chance.</p> <p>4. Adjourned to 25.11.2022.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/-</span></p> <p>(Medha Gadgi) <span style="float: right;">(Mridula Bhatkar, J.)</span><br/>Member(A) <span style="float: right;">Chairperson</span></p> <p>prk</p> |



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|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.985 of 2021</b></p> <p>Dr. B.P. Satpute &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Mr. A.J. Chougule, learned Presenting Officer for the Respondents</p> <p>2. Time granted to learned P.O. to file reply by way of last chance.</p> <p>3. Adjourned to 09.12.2022.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil)<br/>Member(A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.748 of 2021</b></p> <p>R.N. Dakhole &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. None for the Applicants. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Advocate for the Respondent.</p> <p>2. Learned Advocate Mr. Bhushan A. Bandiwadekar appearing for Respondent seeks time to file reply.</p> <p>3. Adjourned to 25.11.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha<sup>u</sup> Gadgil)<br/>Member(A)</p> <p>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |



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|   | <p style="text-align: center;"><b>O.A.No.1043 of 2021</b></p> <p>A.S. Jaiswal .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. on instructions from the officer from the office of Sales Tax Commissioner submits that proposal is sent on 06.10.2022 for deleting the name of the applicant from the list of doubtful integrity to the Finance Department.</p> <p>3. Adjourned to 16.11.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil)<br/>Member(A)</p> <p>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.419 of 2022 with O.A.No.420 of 2022</b></p> <p>K.G. Jadhav &amp; ORs.<br/>S.G. More &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S. Solanke, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate files rejoinder. It be taken on record. Copy be served upon learned P.O.</p> <p>3. Adjourned to 09.12.2022 For Final Hearing.</p> <p>Sd/-<br/>(Medha Gadgil)<br/>Member(A)</p> <p>Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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Tribunal's orders

C.A. No.11 of 2022 in O.A. No.131 of 2021

Smt. Medha J. Kadam ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

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

2. Ld. Advocate for the applicant seeks leave to add name of the concerned officer in the title of CA, who is the disciplinary authority.
3. Leave granted. Amendment be carried out forthwith and amended copy be served on all concerned.
4. Today Shri Gautam Rikibe, Assistant Section Officer, Home Department, Mantralaya, Mumbai is present in the Court and he is unable to answer our queries.
5. In the present case enquiry against the applicant was completed within six months i.e. on/or before 30.10.2021, as per order dated 8.4.2021 passed by this Tribunal. Thereafter the punishment is proposed by the disciplinary authority against the applicant on 22.7.2022. For this decision of the disciplinary authority, approval of the Government i.e. Head of the Home Department is required. In this case the Hon'ble Deputy Chief Minister is the head of the Home Department.
6. It is informed that the Hon'ble Deputy Chief Minister has given approval for punishment of 6% reduction in pension for a period of two years. The applicant was given notice regarding the same and applicant has given reply on 19.9.2022 accepting the said punishment. However, thereafter file is submitted to the Hon'ble Deputy Chief Minister on 26.9.2022 for approval of quantum of punishment and which is still pending.
7. Hence, we direct the disciplinary authority to approach the Hon'ble Deputy Chief Minister for compliance and report the Tribunal accordingly.
8. S.O. to 18.11.2022.

Sd/-  
(Medha Gadgil)  
Member (A)  
11.11.2022

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson  
11.11.2022

(sgj)

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.1038 of 2022 with Caveat No.114/2022</b><br/><b>With</b><br/><b>O.A.No.1039 of 2022 with Caveat No.115/2022</b></p> <p>V.R. Pawar &amp; Ors. ....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.P. Shinde, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks time to file rejoinder.</p> <p>3. Adjourned to 23.12.2022.</p> <p>Sd/-<br/>(Medha Gadgil)<br/>Member(A)</p> <p>Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

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

**Tribunal's orders**

**Date : 11.11.2022**

**O.A.No.1016 of 2021 with M.A.No.591 of 2021**

S.R. Kasar .....Applicant

Vs.

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

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

2. M.A.No.591/2021 is filed seeking interim relief. In view of the fact that interim relief was already granted by order dated 28.02.2022. M.A. is disposed of.

3. In O.A. report dated 14.09.2021 of the Internal Women Complaint Redressal Committee, Nashik established under the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act), is challenged by the delinquent Officer. The Complainant is Respondent No.4. Affidavit of service is shown along with online track report of the postal service on Respondent No.4.

4. We have heard this matter to certain extent. However, as it is the matter under POSH Act we are of the view that the service through Respondent-Department on Respondent No.4 is necessary and the Complainant should be given an opportunity of audience through Counsel or in-person. Hence Respondent No.2, District Collector, Nashik and Respondent No.3, Internal Womens Complaint Redressal Committee, Nashik are directed to serve notice to Respondent No.4.

5. Registry is directed to prepare the Court notice which is to be collected today itself by the office of C.P.O. and sent to Collector, Nashik and it is to be served immediately within two days i.e. before 15.11.2022.

6. M.A. is disposed of. O.A. Adjourned to 17.11.2022.

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 : 11.11.2022</b></p> <p><b>O.A.No.833 of 2022</b></p> <p>R.A. Kamle .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Ganesh Masorkar, learned Advocate holding for Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. files reply.</p> <p>3. Adjourned to 25.11.2022.</p> <p>Sd/-<br/>(Medha Gadgil)<br/>Member(A)</p> <p>Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</p> <p>prk</p> |

**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 : 11.11.2022</b></p> <p><b>O.A.No.157 of 2021</b></p> <p>D.Y. Bhamare &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that reply is filed.</p> <p>3. As the matter is regarding Selection, adjourned to 18.11.2022 for Final Hearing</p> <p>Sd/-<br/><i>(Signature)</i><br/><b>(Medha Gadgil)</b><br/>Member(A)<br/>prk</p> <p>Sd/-<br/><i>(Signature)</i><br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> |

**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,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p style="text-align: center;"><b><u>11.11.2022</u></b></p> <p style="text-align: center;"><b><u>O.A 1064/2022</u></b></p> <p>Smt Manisha S. Jamdade &amp; Ors ... Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 to 4 and Shri M.D Lonkar, learned counsel for Respondents no 5 to 9.</p> <p>2. The applicants pray that the Respondents be directed to consider them for promotion to the post of Section Officer.</p> <p>3. 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 9.12.2022.</p> <p>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.</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. 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>7. In case notice is not collected within <b>seven</b> days or service report on affidavit in not filed <b>three</b> days before returnable date, the Original/Miscellaneous Application 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."</p> <p style="text-align: right;">[P.T.O.]</p> |



| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p>8. Learned counsel for the applicants submits that the applicants are to be promoted as Section Officer through Limited Competitive Examination. Therefore, the decision of the Hon'ble Bombay High Court in the case of State of Maharashtra &amp; Ors Vs. Vijay Ghogare &amp; Ors, W.P 2797/2015 is not applicable to the present case because the issue of the candidates availing and selected through this avenue is not dealt with in Vijay Ghogare's case. The issue needs detail deliberation. and it cannot be heard and decided in a short period.</p> <p>9. Hence we pass the following order:-</p> <p>If the Respondents are going to issue the promotion orders to the post of Section Officer in Mantralaya, they are subject to outcome of this Original Application. This is to be made clear and communicated in all the promotion orders.</p> <p>10. S.O to 9.12.2022.</p> <p style="text-align: center;">Sd/-</p> <p><b>(Medha Gadgil)</b><br/><b>Member (A)</b></p> <p style="text-align: center;">Sd/-</p> <p><b>(Mridula Bhatkar, J.)</b><br/><b>Chairperson</b></p> <p>Akn</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  |
|---|--|
|   | <p><b>Date: 11.11.2022</b></p> <p style="text-align: center;"><b>M.A. No.642 of 2022 in O.A. No.269 of 2022</b></p> <p><b>M.G. Jadhav</b> .....Applicant<br/> <b>Versus</b><br/> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri S.B. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This M.A. is filed to restore O.A. dismissed in default on 18.10.2022. The Application is made within limitation.</li> <li>3. Learned Advocate for the Applicant submits that he is coming from Sangli and on 18.10.2022 he could not attend the Tribunal. He therefore requested to restore O.A.</li> <li>4. In the interest of justice and to decide O.A. on merit, order of dismissed in default is recalled.</li> <li>5. O.A. is restored to file.</li> <li>6. M.A. is accordingly disposed of with no order as to costs.</li> </ol> <p style="text-align: right; margin-right: 100px;">Sd/-<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p style="text-align: center; margin-top: 20px;">NMN</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: 11.11.2022</p> <p align="center">O.A. No.269 of 2022</p> <p>M.G. Jadhav .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri S.B. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed in default on 18.10.2022. However, today it is restored in view of order passed in M.A. No.642 of 2022. O.A. is therefore required to be heard on merit.</p> <p>3. Adjourned for Final Hearing on 29.11.2022.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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 : 11.11.2022</p> <p align="center"><b>O.A.No.1016 of 2018</b></p> <p>C. S. Atkar <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 D. Deshmukh holding for Shri Sanjay Ranjane, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed in default on 10.09.2020 but it is restored today in view of the order passed in M.A.No.578 &amp; 579/2022. The O.A. is, therefore, restored to hear on merit. It be kept for final hearing.</p> <p>3. S.O. to 25.11.2022.</p> <p align="right">Sd/-<br/><b>(A.P. Kurhekar)</b><br/>Member(J)</p> <p>vsm</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p><b>Date : 11.11.2022</b></p> <p><b>M. A. No.578 &amp; 579 of 2022 in O.A.No.1016 of 2018</b></p> <p><b>C. S. Atkar</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri D. Deshmukh holding for Shri Sanjay Ranjane, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. These Misc. Applications are filed for condonation of delay and for restoration of O.A. which was dismissed in default on 10.09.2020.</p> <p>3. Learned Counsel for the Applicant submits that due to pandemic situation, the Applicant could not <sup>2.0.2020</sup> <del>have been</del> present, and therefore, O.A. came to be dismissed on 10.09.2020. According to him, after pandemic is over, the Applicant came to know about dismissal of O.A., and thereafter he took certified copy of the order and filed M.A. for restoration of O.A. along with application for condonation of delay.</p> <p>3. Learned P.O. submits that necessary orders be passed.</p> <p>4. Apparently, the O.A. was dismissed in pandemic situation having found that for long time, the Applicant's Counsels were absent continuously though the said Counsel was appearing in another matter.</p> <p>5. Be that as it may, since the O.A. has been dismissed in pandemic situation, I am inclined to restore the O.A. so as to decide the matter on merit. The delay caused in filing M.A. is condoned.</p> <p>6. Accordingly, both the Misc. Applications are allowed and O.A. No.1016/2018 is restored to the file. It be kept for final hearing.</p> <p>7. No order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b><br/><b>Member(J)</b></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  |
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|   | <p>Date : 11.11.2022</p> <p align="center">M. A. No.472 of 2022 in O.A.No.780 of 2022</p> <p>S. M. Chavan <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 Smt. Prachi Hendre, learned Counsel for the Applicant and 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 25.11.2022.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>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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| 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 : 11.11.2022</p> <p align="center">R. A. No.10 of 2022 in O.A.No.102 of 2020</p> <p>S. H. Shaikh <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. The Applicant has filed present R.A. in person but absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O. two weeks time is granted to file reply to R.A.</p> <p>3. S.O. to 25.11.2022.</p> <p align="right">Sd/-<br/>✓<br/>(A.P. Kurhekar)<br/>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 : 11.11.2022</p> <p style="text-align: center;">O.A.No.1094 of 2022</p> <p>Hanumant K. Sanas .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged communication dated 04.02.2020 whereby Applicant's representation for applicability of old pension scheme has been rejected. The Applicant was appointed as a Peon by order dated 29.10.2005 and joined on 02.11.2005. Whereas, the new pension scheme came into effect for the employees who are appointed onward 01.11.2005.</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 21.12.2022.</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 M.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 / <del>Miscellaneous</del> 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 / <del>Miscellaneous</del> Application shall stand dismissed.</li> <li>9. S.O. to 21.12.2022</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar)<br/>Member(J)</p> |



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|---|---|
|   | <p>Date : 11.11.2022</p> <p align="center">M. A. No. 638 of 2022 in O.A.No.602 of 2022</p> <p>Shri S. D. Ganage <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 P. L. Rathod, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for amendment to O.A. so as to challenge the order dated 12.10.2022 whereby the order of withholding of pension permanently has been passed in view of conviction of the Applicant. This order has been passed during the pendency of O.A. since it is subsequent event and Applicant sought to challenge the same, the amendment is necessitated and hereby allowed.</p> <p>3. Amendment be carried out within three days.</p> <p>4. Now, the challenge being to the order of withholding of pension permanently, the matter pertains to Division Bench in terms of office order dated 28.5.2020.</p> <p>5. The Registrar is directed to place the matter before Division Bench.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|---|---|
|   | <p>Date: 11.11.2022</p> <p align="center">O.A. No.660 of 2022</p> <p>Dr. Y.M. Kokadwar .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Interim relief to continue till next date.</p> <p>3. S.O. to 21.12.2022.</p> <p align="right">Sd/-<br/>V<br/>(A.P. Kurhekar)<br/>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"><b>Date : 11.11.2022</b></p> <p align="center"><b>O.A.No.1093 of 2022</b></p> <p><b>B. R. Raut</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Yesterday, the matter was taken up for admission but on request of learned P.O. adjourned for today to consider interim relief claimed by the Applicant. The Applicant has been suspended by order dated 17.08.2022 but his Head Quarter is changed from Karjat, Dist. Alibaug to Malvan, Dist. Sindhudurg. Whereas in terms of Circular dated 19.03.2008, the Head Quarter should be at the last place of duty.</li> <li>3. Yesterday, learned P.O. on instructions submitted that there is another Circular which permits change of Head Quarter. However, today learned P.O. fairly concedes that there is no such Circular other than Circular dated 19.03.2008 which indeed provides that the Head Quarter should be the last place of duty.</li> <li>4. In view of above, the Head Quarter of the Applicant should have been Karjat, Dist. Alibaug and not Malvan, Dist.Sindhudurg. The Applicant's Head Quarter is accordingly be changed with immediate effect and he be kept at Karjat, Dist. Alibaug.</li> <li>5. The Respondents to issue necessary corrections about the change of Head Quarter.</li> </ol> |

[P.T.O.]

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p>6. Insofar as challenge to the suspension order, issue notice before admission returnable on 9.12.2022.</p> <p>7. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>8. 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 M.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.</p> <p>9. 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>10. 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>11. 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 / <del>Miscellaneous</del> 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 / <del>Miscellaneous</del> Application shall stand dismissed.</p> <p>12. S.O. to 19.12.2022.</p> <p style="text-align: right;">Sd/-<br/><br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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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 : 11.11.2022</b></p> <p><b>C.A.No.44 of 2022 in O.A.No.879 of 2018</b></p> <p>T.R. Apte &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. B. Deshmukh, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned Advocate for the Applicant submits that pursuant to order dated 22.03.2022, Commissioner, Social Welfare issued appointment order in favour of all the applicants on 06.10.2022.</p> <p>3. In view of above, as nothing remains in C.A., C.A. is disposed of.</p> <p>Sd/-<br/><b>(Medha Gadgil)</b><br/>Member(A)<br/>prk</p> <p>Sd/-<br/><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> |

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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 : 11.11.2022</b></p> <p><b>C.A.No.60 of 2022 in O.A.No.231 of 2022</b></p> <p>Y.U. Bawadekar .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. V.P. Potbhare, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned P.O. has produced the copy of medical examination report dated 07.11.2022 regarding height of the applicant. The medical examination board has measured the height of the applicant which came to 164.5 cms, which is below the required height i.e. 165 cms.</p> <p>3. In view of this medical examination report, nothing remains in the C.A. Hence C.A. stands disposed of.</p> <p>Sd/-<br/>(Medha Gadgil)<br/>Member(A)</p> <p>Sd/-<br/>(Mridula Bhatkar, J.)<br/>Chairperson</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 : 11.11.2022</b></p> <p align="center"><b>C.A.No.71 of 2022 in O.A.No.1095 of 2016</b></p> <p>B.S. Killedar &amp; Ors. ....Applicants<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Learned P.O. submits that the Department has submitted fresh proposal regarding regularization on 04.11.2022 to the Principal, Chief Conservator of Forest, Nagpur.</p> <p>3. We direct the Principal, Secretary, Respondent No.1 Mr. Venugopal, Reddy to pursue this matter as the compliance is pending since last three years.</p> <p>4. Adjourned to 02.12.2022. To be tagged along with C.A.No.46/2022 in O.A.No.72/2022 With C.A.No.47 /2022 in O.A.No.73/2022.</p> <p align="center">Sd/-  Sd/- </p> <p align="center"><b>(Medha Gadgil)</b><br/>Member(A)</p> <p align="center"><b>(Mridula Bhatkar, J.)</b><br/>Chairperson</p> <p>prk</p> |



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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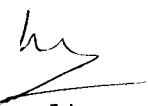
(Advocate .....

*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 : 11.11.2022</b></p> <p><b>O.A.No.567 of 2017</b></p> <p>S.R. Rajebhosale .....Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents</p> <p>2. All the pleadings are complete.</p> <p>3. Admit. Adjourned to 06.01.2023.</p> <p>Sd/-<br/>(Medha Gadgil)<br/>Member(A)<br/>prk</p> <p>Sd/- <br/>(Mridula Bhatkar, J.)<br/>Chairperson</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   |
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|   | <p style="text-align: center;"><u>O.A. No.1078 of 2022</u></p> <p>M.G. Mundhe ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri V.P. Sangvikar, 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 leave to withdraw the above OA in view of the facts which are noticed.</p> <p>3. OA is allowed to be withdrawn and disposed off accordingly.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)<br/>Member (A)<br/>11.11.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula Bhatkar, J.)<br/>Chairperson<br/>11.11.2022</p> </div> </div> |


**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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|   | <p align="center"><u>O.A. No.1035 of 2022</u></p> <p>S.A. Wagh ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO seeks time file reply.</p> <p>3. S.O. to 9.12.2022. This matter is to be shown under the caption of 'Due Admission'.</p> <p align="center">Sd/- Sd/- </p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.)<br/>Member (A) Chairperson<br/>11.11.2022 11.11.2022</p> <p>(sgj)</p> |


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**FARAD CONTINUATION SHEET No.**

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|   | <p align="center"><u>O.A. No.77 of 2021 &amp; O.A. No.845 of 2022</u></p> <p>D.D. Pujari ..Applicant<br/>Vs.<br/>The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.D. Joshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicant the matter is taken on board though it is adjourned to 20.1.2023.</p> <p>3. Ld. CPO submits that respondents are filing in OA No.845/2022 today. It appears from the submissions of both the sides that both the OAs are interlinked.</p> <p>4. Therefore, both the OA will be taken on 20.1.2023.</p> <p align="center"> Sd/-  Sd/- <sup>17</sup><br/> (Medha Gadgil) (Mridula Bhatkar, J.)<br/> Member (A) Chairperson<br/> 11.11.2022 11.11.2022 </p> <p>(sgj)</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders  |
|---|--|
|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.1055 of 2022</b></p> <p><b>Achala V. Jade</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <ol style="list-style-type: none"> <li>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged <sup>o.d.u</sup> <del>application</del> dated 27.09.2021 whereby request of the Applicant to count previous service for the period from 02.09.1994 to 22.04.2003 rendered in private aided school has been rejected.</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 19.12.2022.</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 M.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 / <del>Miscellaneous</del> 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 / <del>Miscellaneous</del> Application shall stand dismissed.</li> <li>9. S.O. to 19.12.2022</li> </ol> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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| Office Notes, Office Memoranda of Coram,<br>Appearance, Tribunal's orders or<br>directions and Registrar's orders | Tribunal's orders   |
|---|---|
|   | <p>Date : 11.11.2022</p> <p align="center">O.A.No.1040 of 2022</p> <p>M. B. Hiremath <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 Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three days time is granted to file reply.</p> <p>3. S.O. to 18.11.2022.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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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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|   | <p>Date: 11.11.2022</p> <p align="center">O.A. No.622 of 2020 with O.A. No.623 of 2020</p> <p>M.R. Ahire<br/>M.P. Shinde .....Applicant<br/>Versus<br/>The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant adjourned to file Affidavit-in-Rejoinder.</p> <p>3. S.O. to 25.11.2022.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member (J)</p> <p>NMN</p> |

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|   | <p><b>Date : 11.11.2022</b></p> <p><b>O.A.No.1112 of 2022</b></p> <p><b>R. D. Popalghat</b> <b>....Applicant</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <b>...Respondents.</b></p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant raised grievance against the Respondent No.4 for not relieving her though suspension has been revoked and the order is passed by the Additional Commissioner Tribal Development Department, Nashik to reinstate her.</p> <p>3. The perusal of record reveals that the Applicant was suspended by order dated 31.12.2021 by Respondent No.4 – Project Officer and Additional Collector Integrated Tribal Development Project, Nandurbar. However, later Respondent No.4 who is the Appointing Authority of the Applicant has reinstated her by order dated 07.06.2022 and reposted her at Government Ashram School, Chass, Tal. Sinner, Dist. Nashik. However, the Applicant raised grievance that the Respondent No.4 has not relieved her despite various representations.</p> <p>4. When the Competent Authority has already passed the order of revocation of suspension and reinstatement in service, the Respondent No.4 ought to have relieved the Applicant since the period of more than five months is over from the order of reinstatement.</p> <p>5. In view of above, learned P.O. is directed to take instructions from the Respondent No.4 as to why the Applicant is not relieved and apprise the Tribunal at 2.30. P.M.</p> <p style="text-align: right;">Sd/-<br/><b>(A.P. Kurhekar)</b><br/><b>Member(J)</b></p> <p>vsm</p> |



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|   | <p>Date : 11.11.2022</p> <p style="text-align: center;">O.A.No.1091 of 2022</p> <p>Sunil P. Khude <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 R. L. Kulkarni, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired from the post of Police Sub-Inspector on 31.06.2022 but still not paid retiral benefits, therefore, approached the Tribunal.</p> <p>3. Learned P.O. is directed take instructions from the Commissioner of Police, Mumbai as to why retiral benefits are not paid and to apprise the Tribunal at 2.30 P.M.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> <p><u>L.O.</u></p> <p>4. Learned P.O. on instructions submits that all the retiral benefits except Gratuity, Leave Encashment and final pension are already released. He further submits that within one month remaining retiral benefits i.e. Gratuity, Leave Encashment and final pension will be processed.</p> <p>5. Learned P.O. fairly submits that there is no legal hurdle in releasing these retiral benefits, but it has been delayed due to verification of Service Book of the Applicant.</p> <p>6. In view of above, O.A. is disposed of with direction to the Respondent No.3 -C.P. Mumbai to ensure release of remaining retiral benefits within a month from today failing to which it will carry interest at the rate applicable to G.P.F. from the date of default till the date of actual payment.</p> <p>7. No order as to costs.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>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 : 11.11.2022</p> <p align="center">O.A.No.995 of 2022</p> <p>Vijay R. Dhopaokar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri R. L. Kulkarni, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant stands retired on 31.05.2021 but has not paid his regular retiral benefits, and therefore, approached this Tribunal.</li> <li>3. Learned P.O. submits that Provisional Pension, Leave Encashment and GIS has been paid. According to her, now the proposal is forwarded to A.G. for regular Pension and Gratuity.</li> <li>4. There is inordinate delay in releasing the retiral benefits. Admittedly, neither there is any criminal prosecution nor any D.E. against the Applicant so as to withhold the retiral benefits. The Applicant has, therefore, claimed interest on belated payment.</li> <li>5. In view of above, three days time is granted to file reply.</li> <li>6. S.O. to 15.11.2022.</li> </ol> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|---|---|
|   | <p>Date : 11.11.2022</p> <p align="center">O.A.No. 954 of 2022</p> <p>A. U. Pawar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file reply.</p> <p>3. S.O. to 25.11.2022.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|   | <p>Date : 11.11.2022</p> <p align="center">O.A.No.969 of 2022</p> <p>S. S. Badade <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file reply.</p> <p>3. S.O. to 25.11.2022.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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|---|---|
|   | <p>Date : 11.11.2022</p> <p align="center">O.A.No.948 of 2022</p> <p>C. B. Gavhankar <span style="float:right">...Applicant</span></p> <p align="center">Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent No.1 and Shri Sidheshwar Biradar, learned Counsel for the Respondent No.2.</p> <p>2. On request of learned P.O. two weeks time is granted to file reply and in the meantime appropriate order be passed on representation made by the Applicant.</p> <p>3. S.O. to 24.11.2022.</p> <p align="right">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |

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|---|--|
|   | <p>Date : 11.11.2022</p> <p>O.A.No.1103 of 2022</p> <p>M. G. Davari .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is promoted and posted in Pune Division by order dated 30.05.2022. He had given option of Pune Division as seen from his letter dated 28.03.2022 and accordingly he was given Pune Division and posted as Deputy Director Health Services (Malaria and Filaria), Pune. Later, he made representation on 31.05.2022 to the Government for posting at Gadhinglaj, Karad or Sindhurg in Pune Division <i>inter-alia</i> contending that several employees were promoted and given posting in same district at same place and there are vacancies where he requested for posting.</p> <p>3. At the time of promotion, the Applicant was working as Officer Superintendent at Kolhapur and by representation again asked to Gadhinglaj, Karad &amp; Kankavali. Indeed, the Applicant cannot ask for particular post or place on promotion. He has given option of Pune Division and accordingly he is posted in Pune Division.</p> <p>4. At this juncture, learned Counsel for the Applicant submits that O.A. be disposed of with direction to the Respondent No.1 to decide the representation made by the Applicant on 31.05.2022.</p> <p>5. In view of above, the O.A. is disposed of with direction to the Respondent No.1 to pass appropriate order on representation made by the Applicant dated 31.05.2022 in accordance to law and rules within two months from today.</p> <p>6. No order as to costs.</p> <p style="text-align: right;">Sd/-<br/>(A.P. Kurhekar)<br/>Member(J)</p> <p>vsm</p> |