

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

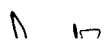
M.A./R.A./C.A. No. _____ of 20 _____

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 : 12.01.2021</p> <p style="text-align: center;">O.A.No.743 of 2020</p> <p>Dr. N. V. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Deepak Natu, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged her transfer order dated 11.08.2020 whereby she is transferred to the post of Assistant Commissioner, Municipal Corporation, Pune from the post of Chief Officer, Chakan Municipal Council and in her place Respondent No.4 is posted invoking Section 4(4) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005).</p> <p>3. Learned Counsel for the Applicant sought to contend that in earlier round of litigation i.e.O.A.No.248/2020 the Tribunal had set aside the transfer order issued by the Collector dated 15.05.2020 on the ground of competency and the Applicant was reinstated at Chakan but thereafter again by impugned transfer order dated 11.08.2020, she was transferred to Pune. He sought stay to the impugned transfer order.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Per contra, learned P.O. had tendered the file for perusal to substantiate that the transfer of the Applicant was necessitated on the ground of fresh report of Collector, Pune and various irregularities in the performance of the Applicant at Chakan Municipal Council.</p> <p>5. Perusal of file reveals that the matter was placed before Civil Services Board which approved the transfer of the Applicant. Later, it was approved by the Minister in charge of the department as well as by the Hon'ble Chief Minister as a preceding competent transferring authority contemplated under Section 4(5) of 'Act 2005'. There is detailed report of Collector, Pune dated 04.08.2020 on the basis of which transfer of the Applicant was found necessitated.</p> <p>6. Thus, prima-facie, there is compliance of Section 4(5) of 'Act 2005'.</p> <p>7. In view of above, no case is made out for grant of interim relief.</p> <p>8. Issue notice before admission returnable on 09.02.2021.</p> <p>9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>10. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>11. 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>12. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>13. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>14. S.O. to 09.02.2021.</p>
	<p style="text-align: right;">  Sd/- (A.P. Kurhekar) Member(J) </p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
CONTEMPT APPLICATION NO.34 OF 2020
IN
ORIGINAL APPLICATION NO.404 OF 2018

Vilas Parasharam Pawar ..Applicant

Versus

Shri Ajoy Mehta, Chief Secretary & Ors. ..Respondents

Shri V.P. Sangvikar with Shri M.L. Dhone – Advocates for the Applicant

Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula R. Bhatkar (Chairperson)
Shri P.N. Dixit, Vice-Chairman (A)

DATE : 12th January, 2021

ORDER

1. Heard Shri V.P. Sangvikar, learned Advocate with Shri M.L. Dhone, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO informs that Central Government has filed Clarification Application No.210008 of 2020 in SLP No.24994 of 2016 (Siddaraju Vs. State of Karnataka). The State of Maharashtra is dependent upon the decision of the Central Government so yet no decision is taken by the State Government.

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3. Pursuant to earlier order dated 3.12.2020 we expect the decision from the State Government about the promotion in service to Differently Abled Persons in Group A and Group B. As submitted by the Ld. CPO, the State Government is not taking further steps for implementing the Act in view of this Clarification Application as the Central Government has not taken any decision.

4. However, we are not satisfied with the stand taken by the State Government. We rely on Section 34 of The Rights of Persons with Disabilities Act, 2016 under which the reservation for promotion to Differently Abled Persons is mandatory for the Government, which reads as under:

“34. Reservation.- (1) Every appropriate Government shall appoint in every Government establishment, not less than four per cent. of the total number of vacancies in the cadre strength in each group of posts meant to be filled with persons with benchmark disabilities of which, one per cent. each shall be reserved for persons with benchmark disabilities under clauses (a), (b) and (c) and one per cent. for persons with benchmark disabilities under clauses (d) and (e), namely:

(a) blindness and low vision;

(b) deaf and hard of hearing;

(c) locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;

(d) autism, intellectual disability, specific learning disability and mental illness;

(e) multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities:

Provided that the reservation in promotion shall be in accordance with such instructions as are issued by the appropriate Government from time to time:

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Provided further that the appropriate Government, in consultation with the Chief Commissioner or the State Commissioner, as the case may be, may, having regard to the type of work carried out in any Government establishment, by notification and subject to such conditions, if any, as may be specified in such notifications exempt any Government establishment from the provisions of this section.

(2) Where in any recruitment year any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability:

Provided that if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the five categories with the prior approval of the appropriate Government.

(3) The appropriate Government may, by notification, provide for such relaxation of upper age limit for employment of persons with benchmark disability, as it thinks fit."

5. Thus no option is left to the State Government but to appoint not less than 4% of the total number of vacancies in the cadre strength in each group of posts.

6. Secondly, the letter dated 29.1.2020 of the Hon'ble Cabinet Minister for Social Justice and Special Assistance addressed to the Hon'ble Chief Minister of Maharashtra is produced before us. In the said letter Hon'ble Minister has pointed out that States of Uttar Pradesh, Goa, Punjab, Haryana and Karnataka in their authority have approved 4% reservation in Group A & B posts to the Differently Aabled Persons. The Hon'ble

Minister has also requested to implement the order dated 14.1.2020 passed by the Hon'ble Supreme Court.

7. We point out that with object to give effect to the proclamation on the full participation and equality of the Differently Abled Persons, the Act is enacted after India ratified the United Nations Convention on the Rights of Persons with Disabilities.

8. We direct the respondents to take necessary steps in this aspect. Ld. CPO to communicate further developments within four weeks.

9. S.O. to 4.3.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)
12.1.2021

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
12.1.2021

Dictation taken by: S.G. Jawalkar.

**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: 12.01.2021</p> <p align="center">O.A. No.927 of 2003</p> <p>J.K. Ukey & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Applicant and Advocate for the Applicant Smt. Varsha Palav is absent. 3. By order dated 05.07.2018 in Writ Petition No.9044 of 2005 the Division Bench of Bombay, High Court set aside order dated 28.07.2004 and has restored the O.A. No.927/2003. In the same order the Division Bench has ordered the petitioner Meenakshi B. Chaudhari qua her alone. O.A. was restored and the authorized representatives of the Respondents to appear before this Tribunal on 30.07.2018 and produced said authorized copy of the Hon'ble High Court. 4. On perusal of letter dated 03.10.2018 we have come across to the submission of Registrar, Shri S.K. Joshi, Maharashtra Administrative Tribunal, Mumbai wherein it is informed that the paper book of O.A. No.927/2003 is destroyed. However, learned Advocate may be requested to re-construct O.A. No.927/2003.

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

5. Pursuant to that letter, we came across the communication dated 20.04.2019 of the Research Officer, A.A. Masal, Maharashtra Administrative Tribunal, Mumbai, where she has written letter to Adv. Ms. Varsha Palav, Mumbai to appear before this Tribunal and take circulation. It is also communicated to Jr. Advocate of Adv. Ms. Varsha Palav by Smt. A.A. Masal to contact Maharashtra Administrative Tribunal, Mumbai office. However no circulation is taken till today.

6. Thereafter on 24.11.2020 this Bench has directed to the Registry to issue notice to the Applicant and learned Advocate on or before 27.11.2020.

7. We noted that in the order dated 05.07.2018 in Writ Petition No.9044 of 2005 the Division Bench has recorded the submission of AGP that in the case of State of Maharashtra & Ors. v/s. Anita and Anr. – (2016) 8 SCC 293 the issue raised before the M.A.T. is squarely covered against the petitioner and no useful purpose will be served at this time.

8. Division Bench after hearing this submission of AGP has stated that it is not inclined to examine the matter on merits and therefore the matter was remanded.

9. Ms. Alka Masal, Research Officer, M.A.T., Mumbai had made noting on FARAD sheet that she had contacted learned counsel Ms Varsha Palav, telephonically and on Whats-app she informed the order of this Court. However, there is no communication from the side of the learned counsel. Besides this Whatsapp communication, our Registry has sent email to Ms Varsha Palav, learned Advocate for the applicant immediatedly, However, till today neither the applicant nor Ms. Varsha Palav, Advocate has approached this Tribunal.

10. Hence the application is dismissed for want of prosecution.

Sd/-

(P.N. Dixit)
Vice-Chairman

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>Date : 12.01.2021</p> <p>C.A.No17 of 2017 in O.A.No.63 of 2015 (Through video-conferencing)</p> <p>S.P. Navod ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.D. Joshi, learned Advocate for the Applicant and Mr. M.S. Mahajan, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. informs that the learned Counsel Mr. S.B. Mene who is appearing for respondent no.2 and 3 is not available.</p> <p>3. The learned Counsel Mr. Joshi submits that the order dated 11.04.2016 in O.A.No.63/2015 is the order for which the implementation is asked for. However learned C.P.O. informs that this order was challenged before the Hon'ble High Court and the High Court has directed to seek the clarification from the Tribunal and therefore the application seeking clarification was filed bearing Writ Petition No.10262 of 2018 dated 11.10.2018. So the application for clarification of M.A.No.432/2018 was before M.A.T. However, it was withdrawn and subsequent M.A.No.80/2019 was filed in which the Tribunal directed the Respondent to file Review Petition therefore the Review Petition St.1217/2019 is filed and is pending.</p> <p>4. In view of the pendency of the Review Petition we are of the view that it is proper decide the Review Petition first and then to consider the contempt. Hence, the C.A. filed is premature to consider and is therefore disposed off</p> <p>5. In between the Applicant may file reply to the Review Petition.</p> <p>6. Review Petition is adjourned to 25.01.2021 and Contempt Application is adjourned to 09.02.2021.</p> <p>Sd/- (P.N. Dixit) Vice-Chairman prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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Date : 12.01.2021

O.A.No.719 of 2020

K.S. Gaikwad ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.R. Joshi, learned Advocate for the Applicant and Ms. Swati Manchekar, learned Chief Presenting Officer for the Respondents.

2. Applicant, Assistant Police Inspector who is retired on 31.05.2016 seeks direction from this Tribunal that he be granted deemed date of promotion for the post of Police Inspector over the applicant's immediate junior in feeder cadre of Assistant Police Inspector and for the revision and re-fixing of pension. The applicant who was prosecuted under the Prevention of Corruption Act was acquitted.

3. The learned C.P.O. submits on instructions that he was reinstated prior to the acquittal. His case was reexamined for promotion he was found fit. The proposal is pending with the Government, hence 4 weeks time is granted to file affidavit-in-reply.

4. S.O. to 08.02.2021.

Sd/-

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No.

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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>Date : 12.01.2021</p> <p align="center">O.A.No.672 of 2020 with M.A.No.300 of 2020</p> <p>A.M. Malve ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V. Bhosale, learned Advocate for the Applicant and Ms. Swati Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant seeks substitution by his mother's name in the wait list of appointment on compassionate ground. The Applicant's father died in 1999, mother's name was included in wait list on 15.04.1999. However as she become 40 years old her name was deleted from the wait list by order dated 23.07.2008. Thereafter, the Applicant i.e. son applied in 2011 for substitution of his name. After 7 years and 11 months he filed this O.A. for the same. There is almost 8 years delay in filing the present O.A.</p> <p>3. The learned C.P.O. files reply in M.A. and O.A. The same is taken on record.</p> <p>4. The learned Counsel seeks time to bring relevant judgments on the said point.</p> <p>5. Time granted. Adjourned to 01.02.2021.</p> <p align="right">Sd/- /v (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

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Date : 12.01.2021

**O.A.No.269 of 2020
(Through video-conferencing)**

N.P. Kawthalkar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.D. Joshi, learned Advocate for the Applicant and Mr. M.S. Mahajan, learned Chief Presenting Officer for the Respondents.
2. Today reply is filed by the respondent at M.A.T. Bench Aurangabad.
3. Matter is adjourned to 09.02.2021.

Sd/-

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

prk

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

Tribunal's orders

Date : 12.01.2021

O.A.No.435 of 2019

R. K. Pawar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri H. P. Ghadigaonkar, learned Counsel for the Applicant. Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Smt. Punam Mahajan, learned Counsel for the Respondent No.4.

2. Learned P.O. on instructions submitted that the proposal to accommodate the Applicant at Mumbai considering his difficulties is under consideration and the matter is placed before the concerned Minister. He, therefore, requested for time to avail necessary orders from the Government.

3. Per contra, learned Counsel for the Applicant has submitted that the impugned transfer order dated 10.08.2020 itself is illegal on the touch stone of the provision of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 and urged to decide the matter on merit since his client has not joined at transfer place at Raigad and not getting salary.

4. Indeed, there is no interim in favour of the Applicant.

5. However, as the matter is under consideration for accommodating the Applicant, it is lastly adjourned till 15.01.2021 for passing appropriate order failing to which, the matter will be heard on merit on the same day.

6. S.O. to 15.01.2021.

Sd/-

WV

(A.P. Kurhekar)
Member(J)

vsm

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

Tribunal's orders

Date : 12.01.2021

M.A. No.65 of 2020 in O.A.No.81 of 2019

The State of Maharashtra & OrsApplicants
(Ori. Respondents)

Versus

S. P. PathakRespondent (Ori. Applicant)

1. Heard Shri A. J. Chougule, learned Presenting Officer the Applicants (Ori. Respondents). The Applicant and his Counsel both are absent though served with the notice of Misc. Application.

2. This M.A.No.65/2020 is filed for extension of four months time for compliance of the directions issued by this Tribunal in O.A.No.81/2019 by order dated 30.04.2019.

3. By order dated 30.04.2019, directions were issued to the Respondents to decide the appeals filed by the ^{applicant} ~~Applicant~~ on 14.08.2018 and 05.11.2018 within three months from the date of order.

4. Now, the period of more than nine months is over but till date, appeals are not decided. In fact this M.A. is filed in the months of January, 2020 which is much after lapse of three months time granted by the Tribunal which shows causal approach of the Original Respondents. It there was any genuine reason for not deciding the appeals within time as granted by the Tribunal, the application for extension ought to have been filed before the expiration of time stipulated in the order.

5. As stated above, till date the period of more than nine months is over but still appeals are not decided. It shows that the Respondents have no regard to the order passed by this Tribunal and they are liable for action of contempt of court.

6. In view of above, I am not inclined to extend the time.

7. M.A. is dismissed with no order as to costs.

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 : 12.01.2021

O.A. Stamp No.39 of 2021
(Aurangabad Bench)

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

1. Heard Shri V.B. Wagh, learned Advocate for the Applicant and Shri V.R. Bhunker, learned Presenting Officer for the Respondents.

2. The Applicant seeks direction that the Respondents to consider her request for transfer to the post of Dental Surgeon, District hospital from Hingoli to Sub District Hospital, Vaijapur.

3. The learned Counsel submits that the applicant is posted on 06.09.2019 at Hingoli hospital, since then the applicant is working at the said place. He further submits that she has repeatedly made representation i.e. on 26.09.2019, 20.07.2020 and 25.11.2020, for her transfer from Hingoli to other place i.e. preferably at Vaijapur. He submits that the applicant is having two children below 12 years and has to look after her own in-laws who are residing at Aurangabad. The distance from Aurangabad to Hingoli is 230 kms, while the distance from Aurangabad to Vaijapur, where the post is vacant, is 75 kms.

4. In view of the short relief claimed this O.A. is disposed off with following directions :

- (a) The respondents to decide her representation to consider her request, if at all the post is vacant.
- (b) To representation is to be decided within 3 weeks from today and the same be communicated to the Applicant within 1 week thereafter.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 12.01.2021</p> <p align="center">O.A.No.732 of 2020</p> <p>A.S. Jaiswal ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant, Deputy Commissioner of State Tax prays that the order dated 14.02.2020 is regarding the communication rejecting his review petition against the dismissal of appeal and also challenge the order 21.08.2019 dismissal of his appeal as it was not filed within limitation.</p> <p>3. The learned Counsel for the applicant submits that the alleged incident has occurred in 1992-1993 for which the notice was given by the Government on 28.01.2001. Immediately he submitted the reply on 17.10.2001. However the order was passed and the decision was given on 25.01.2019 as 'punishment of censure' by order dated 25.02.2019. The applicant filed appeal against the said order on 23.04.2019.</p> <p>4. The learned Counsel further submits that there is a delay of only 5 days and it can be condoned and the order of the Appellate Authority be set aside.</p> <p>5. The learned P.O. on instruction from Shri Pankaj S. More, Assistant Commissioner of State Tax, Respondent No.2, submits that the delay was not explained in appeal and therefore the order of dismissal is legal.</p> <p>6. Considered submissions. Perused the impugned order. It shows that the order dated 25.02.2019 of giving minor punishment was received by the applicant on 05.03.2019 and thereafter within 45 days as appeal was to be filed. Admittedly there is a delay of 5 days. The period of delay is short and therefore it should have been condoned and appeal should have been heard on merit.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. The view of short issue involved the O.A. the O.A. is allowed with following order :-</p> <p style="text-align: center;">ORDER</p> <p>(a) No affidavit is required to be filed.</p> <p>(b) Appeal is allowed.</p> <p>(c) The impugned orders dated 14.02.2020 and 21.08.2019 are set aside.</p> <p>(d) The original appeal is restored and the appellate authority is hereby directed to hear the appeal on or before 31.03.2021.</p> <p>(e) The applicant is directed to appear before the appellate authority on 20.01.2021 at 11.00 a.m.</p> <p>(f) Steno copy is allowed.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date : 12.01.2021</p> <p align="center">O.A.No.713 of 2020 with M.A.No.2 of 2021</p> <p>U.R. Rajput ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V. Bhosale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that this M.A.No.2/2021 is moved by the Respondent No.2 and 3 informing that the applicant was appointed to the post which was reserved in De-notified Tribe, VJ category. At the time of her appointment the production of Caste validity certificate was a condition. The caste validity certificate was placed before the Xaste Scrutiny Committee which by order dated 28.07.2015 invalidated the said caste certificate.</p> <p>3. The learned P.O. further submits that as that order was not challenged and therefore it is a final order. Thus her appointment was illegal and therefore she is not entitled to any provisional pension. Thus, the order passed by this Tribunal on 17.12.2020 to the extent of paragraph 3 is to be modified.</p> <p>4. The learned P.O. further points out that as per the Government Resolution (G.R.) dated 18.05.2013 the service of the Applicant is terminated and is not entitled to any benefit arriving out of the service.</p> <p>5. The learned Counsel for the applicant relies on the communication dated 29.05.2020 of Director, Medical Education and Research, Mumbai and points out that the termination is subject to the decision about her appointment which is going to be taken by the authority.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6 The Caste Scrutiny Committee had invalidity the caste certificate of the applicant who was appointed on reserved post in VJ category. Therefore as per G.R. dated 18.05.2013 her service is terminated.</p> <p>7. In Clause 7 of the said G.R. it is mentioned that in view of Caste Scrutiny Rules of 2000, Clause 10, the pensionary benefit also to be stopped under such circumstances.</p> <p>8. Accordingly, M.A.No.2 of 2021 is allowed.</p> <p>9. The paragraph no.3 'is hereby deleted from order dated 17.12.2020.</p> <p>10. Affidavit-in-reply in O.A. to be filed. Also in respect of GPF and GIS a specific reply to be given.</p> <p>11. S.O. to 22.02.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
MISC APPLICATION NO. 294 OF 2020
IN
ORIGINAL APPLICATION NO 500 OF 2019 (AURANGABAD)**

DISTRICT : NANDED

Saburi D/o Chandrakant Donglikar)...**Applicant**

Versus

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

Shri Yogesh Deshmukh, learned advocate for the Applicant.

Shri V.R Bhumkar, learned Presenting Officer for Respondents no 1 to 4.

Shri V.B Wagh, learned advocate for Respondent no. 5.

Shri Shyam Patil, holding for Shri S.S Thombre, learned advocate for Respondent no.6.

CORAM : **Justice Mridula R. Bhatkar (Chairperson)**
Shri P.N Dixit (Vice-Chairman) (A)

DATE : **12.01.2021**

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

ORDER

1. Heard Shri V.B Wagh, learned advocate for the applicant (Original Respondent no. 5 in O.A 500/2019), Shri V.R Bhumkar, learned Presenting Officer for Respondents no 1 to 4, Shri Yogesh Deshmukh, learned advocate for original applicant in O.A 500/2019 and Shri Shyam Patil, holding for Shri S.S Thombre,



learned advocate for Respondent no. 6 in O.A 500/2019

2. This M.A is filed by applicant (Original Respondent no. 5 in O.A 500/2019) for modification of interim order dated 26.6.2019.


3. Learned counsel for the applicant (Original Respondent no. 5) submits that by order dated 26.6.2019, this Tribunal, has granted interim relief in terms of para XXV (i) of O.A and directed that the Respondents 1 to 4 be free to rearrange the merit list of category of Respondents 5 & 6, if they are so advised and the applicants if selected can be included in the merit list.

4. Learned counsel submits that the interim relief was granted ex-parte without service of notice on Respondents no 5 & 6.

5. Learned counsel for original applicant states that reply has been filed. Learned counsel for the applicant has pointed out to para 4 of the order passed by this Tribunal on 14.12.2020. Pursuant to this order, learned counsel for Respondent 5, applicant in the present M.A submits that the Writ Petition no 3659/2020, filed by Respondent no. 5, challenging the interim order dated 26.6.2019, is withdrawn on 18.12.2020.

6. Shri V.R Bhumkar, learned P.O submits that reply is also filed by Respondents no 2 & 4.

7. Learned counsel for original applicant Mr. Yogesh Deshmukh opposes the modification of the order dated 26.6.2019 on the ground that earlier M.A 615/2019 was moved by original Respondent no. 5, i.e. the present applicant for modification of order dated 26.6.2019. However, Mr. Wagh, learned counsel for the applicant, then also, had made certain submission that he did not want to press the application for modification in view of the judgment of the Tribunal in O.A 368 & 388/2019. So it was



disposed of. Learned counsel Mr Deshmukh states that again M.A 294/2020 was moved for modification. Learned counsel Mr Deshmukh relies on the order dated 14.12.2020, especially para 4, where the M.A.T, Aurangabad Bench has expressed that the matter to be heard finally.

8. Undoubtedly, the matter is to be heard finally and ~~settle~~ all the issues of the horizontal reservation in women category involved in this matter. ^{ave to be settled} However, for want of Members (A) and Member (J) at M.A.T, Aurangabad Bench, Tribunal is non-functional as of today and therefore matter cannot be heard finally till appointment of respective Members.

9. While considering modification of interim order, two circumstances prevail in our mind.

First, the interim stay was granted ex-parte and present applicant, Respondent no.5 has no opportunity to submit her say. M.A 615/2019 though was preferred for vacating the interim stay, it was not decided on merit, but the counsel for the present applicant, i.e. (Ori Respondent no. 5) relied on judgment of Amruta Suresh Yadav Vs. State of Maharashtra & Ors decided on 22.10.2019 in O.A 368 to 388/2019 by the Division Bench of M.A.T, Mumbai with a understanding that this case is covered under the said judgment.

Secondly, on our query we are informed by learned counsel for the original applicant Mr. Deshmukh that original applicant is in service working in Irrigation Department in the post of Assistant Ex. Engineer after completion of her training of one year. However, the Respondent no 5, present applicant in M.A though is selected to the post of Assistant Ex. Engineer in P.W. Department, is without appointment and is waiting for her appointment from 10.12.2019.

The original applicant, who is in the service, by this application seeks change of posting from Irrigation Department to Public Works Department and the Respondent no. 5 is selected in horizontal reservation in Public Works Department on the same post.

10. Considering these circumstances and weighing the balance of convenience, which tilts in the favour of Respondent no. 5, i.e. present applicant we are of the opinion that the interim stay granted earlier needs to be vacated but with following rider.

- (i) The order of interim stay dated 26.6.2019 is hereby vacated.
- (ii) Thus the Respondents to take note that there is no hurdle to follow the procedure which is required to process of appointment of Respondents no 5 & 6.
- (iii) It is made clear that appointment and training of respondents no 5 & 6 is subject to the outcome of O.A 500/2019. The Respondents to take note and mention this order if the appointment orders are issued to Respondents 5 & 6.
- (iv) The original applicant, if succeeds, the period of litigation will not affect her seniority, if she is transferred to Public Works Department. The seniority of the applicant will not be affected, if she succeeds.

11. In view of the above, M.A stands disposed of.

Sd/-

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


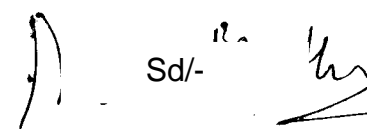
Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai

Date : 12.01.2021

Dictation taken by : A.K. Nair.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 12.01.2021</p> <p>C.A. No.44 of 2020 in O.A. No.248 of 2020</p> <p>Dr. N.V. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.C. Natu, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This C.A. is directed for the implementation of the order dated 21.07.2020 passed by the Single Bench of this court directing that he be reinstated as Chief Officer, Chakan Municipal Council and thereafter only Respondent No.2 may transfer her in accordance to law.</p> <p>3. Learned C.P.O. informs that by order dated 29.07.2020 the Applicant was reinstated to the post of Chief Officer, Chakan, Municipal Council and thereafter Respondent No.2, State of Maharashtra has transferred the Applicant by order dated 11.08.2020 as Assistant Commissioner, Pune Municipal Corporation, Pune.</p> <p>4. Learned Advocate for the Applicant submits he has filed O.A. No.743/2020 challenging the said transfer before the Single Bench.</p> <p>5. In view of this nothing remains in this C.A., hence dismissed.</p> <p style="text-align: center;">  Sd/- (P.N. Dixit) Vice-Chairman </p> <p style="text-align: center;">  Sd/- (Mridula R. Bhatkar, J.) Chairperson </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 style="text-align: center;"><u>12.01.2021</u></p> <p style="text-align: center;"><u>M.A 483/2019 in O.A 872/2019</u></p> <p>Shri S.J Gorve ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The appeal was decided on 31.7.2015. Thus the limitation to file O.A came to an end on 30.6.2016. However, this application is filed on 28.8.2019. In between no legal proceedings were filed. Thus there is delay of 3 years and 2 months which is to be explained.</p> <p>3. S.O to 14.1.2021.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p style="font-size: small;">Akn</p> </div> <div style="text-align: center;"> <p style="font-size: large;">))</p> <p>Sd/-  (Mridula Bhatkar J.) Chairperson</p> </div> </div>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

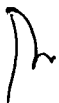
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>C.A. No.21 of 2019 in O.A. No.848 of 2014</u></p> <p>R.B. Wadile ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. None for the applicant. Dismissed for want of prosecution in view of earlier order dated 8.1.2021.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman 12.1.2021</p> </div> <div style="text-align: center;"> <p> Sd/- (Mridula R. Bhatkar, J.) Chairperson 12.1.2021</p> </div> </div> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>CA.25/2020 in OA.28/2018 with OA.938/2018</u></p> <p>Shri D.L. Awate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO submits that they have moved Review Application No.14 of 2020 in OA for review of the order dated 16.11.2019 passed in the above OA which is the subject matter of contempt.</p> <p>3. The Bench of Shri Shree Bhagwan, Hon'ble Vice-Chairman, Nagpur Bench and Shri A.P. Kurhekar, Hon'ble Member (J), Mumbai is constituted. RA is to be heard by Video Conferencing.</p> <p>4. CA is adjourned to 26.2.2020.</p> <p>Sd/- (P.N. Dixit) Vice-Chairman 12.1.2021</p> <p>Sd/- (Mridula R. Bhatkar, J.) Chairperson 12.1.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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">Date: 12.01.2021</p> <p align="center">O.A. No. 698 of 2019 with O.A. No.699 of 2019</p> <p>Dr. S.J. Mane Dr. A.R. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri J.S. Deshmukh, learned Advocate for the Applicant is absent, Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri S.R. Ghanavat, learned Advocate holding for Shri P. Deokar, learned Advocate for the Respondent No.4.</p> <p>2. Learned C.P.O. seeks time to file Affidavit-in-Reply.</p> <p>3. As prayed, time is granted for filing Affidavit-in-Reply.</p> <p>4. S.O. to 12.02.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</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><u>12.01.2021</u></p> <p><u>O.A 348/2020</u></p> <p>Shri R.B Shinde & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing.</p> <p>3. S.O to 24.2.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>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.
12.01.2021**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	O.A. 607/2020 Orders
	<p>Shri A.V Mule ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O seeks time to file reply. Time granted.</p> <p>3. S.O to 9.2.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Akn</p> <p> Sd/- (Mridula Bhatkar, J.) Chairperson</p>

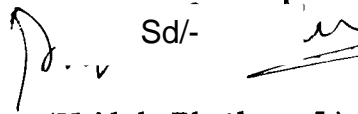
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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"><u>12.01.2021</u></p> <p align="center"><u>O.A 310/2020 with O.A 257/2020</u></p> <p>Shri P.D Padwal [O.A 310/2020] Shri U.D Thorat [O.A 257/2010]... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Learned C.P.O submits affidavit in reply in O.A 310/2020 of Respondent, Chief Conservator of Forest. Same is taken on record. She further submits that affidavit in reply in O.A will be filed later. It is to be noted that in the said O.A 257/2020 by order dated 9.6.2020, this Tribunal has made queries (a) to (g) which are required to be answered by the Respondents.</p> <p>3. S.O to 23.2.2021.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>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 align="center"><u>12.01.2021</u></p> <p align="center"><u>O.A 759/2020</u></p> <p>Shri M.K Satpute ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan , learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O informs that pursuant to order dated 22.12.2020 the Respondents have taken steps for considering the case of the applicant for the post of Commandant. She seeks two weeks' time to inform about further progress in the matter.</p> <p>3. S.O 2.2.2021.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N. Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>12.01.2021</u></p> <p align="center"><u>O.A 1081/2020</u></p> <p>Shri P.Y Sathe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Archana, learned P.O for the Respondents.</p> <p>2. Learned counsel Mr Jagdale, pursuant to order dated 8.1.2021 has given the undertaking that applicant is ready to pay cost of Rs. 10000/- if the medical report is found positive about suffering from Glaucoma. Application dated 12.1.2021 is taken on record and marked as Exh. 1.</p> <p>3. Learned P.O on instructions from Shri Shyam Raje, Administrative Officer, in the office of Respondent no. 4, informs that a Medical Board can be constituted at Government Medical College, Miraj. Respondent no. 4 is hereby requested to constitute a Medical Board within two weeks and the applicant is to be examined by the Medical Board especially on the point that whether the applicant is suffering from Glaucoma. The Dean, is requested to submit a written report accordingly and the conclusion of the examination within four weeks thereafter.</p> <p>4. S.O to 9.2.2021.</p> <p align="center">Sd/- (P.N/Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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


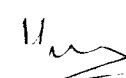
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.109 of 2015 in O.A. No.353 of 2014</u></p> <p>Dr. K.S. Ramamurthy ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. By order dated 1.12.2015 in W.P. No.9276 of 2015 which is filed by Kalyan Dombivli Municipal Corporation, the Division Bench of the Hon'ble High Court in para 2 has mentioned that, as the case is made out, no coercive steps be taken based upon the impugned order till the next date.</p> <p>3. Ld. PO submits that thereafter the matter appeared for pre-admission on 26.4.2019 before the Division Bench and thereafter it was adjourned on 6.3.2020 followed by 24.4.2020 and 28.10.2020. It appears that this matter was not carried further. None for KDMC. The office of CPO is requested to inform the legal department of KDMC to appear on the next date so that matter can be disposed off. It is also requested to inform that it only pertains to issuance of No Dues Certificate from KDMC.</p> <p>4. S.O. to 8.2.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- </p> <p>(P.N. Dixit) Vice-Chairman 12.1.2021</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula R. Bhatkar, J.) Chairperson 12.1.2021</p> </div> </div> <p>(sgj)</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 12.01.2021
	<p align="center"><u>O.A 774/2020</u></p> <p>Shri Ashok S. Karkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.P Kamat, learned advocate for the applicant and Ms Swati Manchekar , learned C.P.O for the Respondents.</p> <p>2. The applicant who is a Jailor, Group-I at Nasik prays that his name is to be included in the list of promotion which was published on 7.10.2020 for the post of Dy. Superintendent of Central Prison/Superintendent of District Prison, Class-II and his name should be dropped from D.E and claims benefits of functional promotion.</p> <p>3. Learned P.O submits that D.E initiated against him is at last stage. Respondents are directed to file affidavit in reply.</p> <p>4. Learned counsel submits that D.E is already concluded in the year 2018 and file is lying with Inspector General of Prisons.</p> <p>5. Issue notice returnable on 9.2.2021.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. 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>8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>9. S.O to 9.2.2021.</p> <p align="center">Sd/- (P.N.Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-  (Mridula Bhatkar J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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>Date: 12.01.2021</p> <p align="center">O.A. No.43 of 2020</p> <p>H.R. DasApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri H.R. Das, Applicant in Person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Respondent No.2 has filed Affidavit-in-Reply today. It is taken on record, copy served to the other side. 3. Respondent No.3 has already filed Affidavit-in-Reply. 4. Other Respondents want to file Reply and thereafter immediately matter will taken for Final Hearing. 5. Admit. 6. S.O. to 16.02.2020. <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

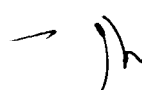
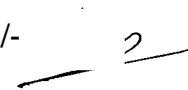
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>C.A. No.51 of 2019 in O.A. No.301 of 2017</u></p> <p>Jeevan K. Bhosle ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>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. Ld. CPO produces a copy of order dated 22.10.2020 passed by the Hon'ble High Court in W.Ps. No.10926, 10927 & 10928 of 2019. The order reads as under:</p> <p style="padding-left: 40px;"><i>"1. In view of the statement of Ms. Patil, learned Advocate for the respondent that the proceedings for contempt before the Maharashtra Administrative Tribunal shall not be pursued till such time this Writ Petition is heard, we adjourn the hearing of this writ petition and direct the listing thereof on November 26, 2020."</i></p> <p>3. The matter could not be reached on 1.12.2020. Now, the matter is pending before the Hon'ble High Court.</p> <p>4. In view of the above, the matter is adjourned to 29.4.2021. Meanwhile if matter is decided by the Hon'ble High Court the order is to be intimated by both the sides.</p> <p style="text-align: center;"> Sd/-  Sd/-  (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 12.1.2021 12.1.2021 </p> <p>(sgj)</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: 12.01.2021

M.A. No.244 of 2020 in O.A. No.561 of 2020

Dr. K.S. JawaleApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.D. Gugale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. There is eight months of delay.
3. Three weeks' time to file Reply as prayed is granted.
4. S.O. to 28.01.2021.

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

Sd/-
(Mridula R. 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><u>O.A. No.787 of 2020</u></p> <p>V.A. Patil & 6 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Leave to amend granted to the effect to bring the provisional seniority list on record.</p> <p>3. The applicants challenge the seniority list in the cadre of Maharashtra Finance and Accounts Service, Group-B Gazetted Officers as on 1.1.2015. Ld. Advocate for the applicants submits that this seniority list is objected on the ground that no seniority list of the earlier years was prepared and published. He submits that after filing of this OA the respondents have realized their mistake and now they have published the seniority list on 8.1.2021.</p> <p>4. Meanwhile the applicants may submit their objections, if any, to the seniority list within 15 days from the date of publication of seniority list. The respondents may thereafter within four weeks decide the said objections and inform accordingly.</p> <p>5. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 23.2.2021.</p> <p>7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly</p>

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

Tribunal's orders

authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

9. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

(P.N. Dixit)
Vice-Chairman
12.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
12.1.2021

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders																								
	<p style="text-align: center;"><u>O.A. No.1235 of 2019 & Ors.</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">M.K. Shivsaran & Ors.</td> <td style="width: 40%;">(OA.1235/19) Mumbai</td> </tr> <tr> <td>M.A. Deshpande</td> <td>(OA.111/2020) Mumbai</td> </tr> <tr> <td>M.P. Samag</td> <td>(OA.215/2020) A'bad</td> </tr> <tr> <td>B.K. Pundlik</td> <td>(OA.443/2020) A'bad</td> </tr> <tr> <td>Tanvir Shah</td> <td>(OA.1011/2019) Nagpur</td> </tr> <tr> <td>S.A. Bagmare</td> <td>(OA.1012/2019) Nagpur</td> </tr> <tr> <td>A.R. Kalore</td> <td>(OA.5/2020) Nagpur</td> </tr> <tr> <td>S.R. Dhole</td> <td>(OA.98/2020) Nagpur</td> </tr> <tr> <td>V.S. Aghadte</td> <td>(OA.19/2020) Nagpur</td> </tr> <tr> <td>Y.M. Bodade</td> <td>(OA.127/2020) Nagpur</td> </tr> <tr> <td>S.P. Raut</td> <td>(OA.161/2020)</td> </tr> </table> <p style="text-align: right;">..Applicants</p> <p style="text-align: center;">Vs.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">The State of Maharashtra & Ors.</td> <td style="width: 40%;">..Respondents</td> </tr> </table> <p>Heard Dr. G. Sadavarte, learned Advocate for the Applicants in OA No.1235 of 2019, Ms. S.P. Manchekar, Counsel for MPSC and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. CPO has requested to take the group of these 11 matters on record where the issue of examination of Papers II and V of Maharashtra Finance and Accounts Service held by MPSC is involved.</p> <p>3. In this group of 11 matters, two are from Mumbai, two are from Aurangabad and remaining are from Nagpur.</p> <p>4. Ld. CPO submits that issue involved in these 11 matters is one and the same and they can be clubbed and heard together at this Principal Bench of MAT. Today Dr. G. Sadavarte, learned Advocate for the Applicants in OA No.1235 of 2019 is present. Shri A.A. Deshpande, learned</p>	M.K. Shivsaran & Ors.	(OA.1235/19) Mumbai	M.A. Deshpande	(OA.111/2020) Mumbai	M.P. Samag	(OA.215/2020) A'bad	B.K. Pundlik	(OA.443/2020) A'bad	Tanvir Shah	(OA.1011/2019) Nagpur	S.A. Bagmare	(OA.1012/2019) Nagpur	A.R. Kalore	(OA.5/2020) Nagpur	S.R. Dhole	(OA.98/2020) Nagpur	V.S. Aghadte	(OA.19/2020) Nagpur	Y.M. Bodade	(OA.127/2020) Nagpur	S.P. Raut	(OA.161/2020)	The State of Maharashtra & Ors.	..Respondents
M.K. Shivsaran & Ors.	(OA.1235/19) Mumbai																								
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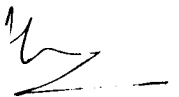
Advocate for Applicant in OA No.111/2020 is not present. However, he is from Mumbai. Other counsel from Aurangabad and Nagpur Bench are not aware that their matters are today taken on board.

5. Considering the distance from Aurangabad and Nagpur to Mumbai and considering the convenience of the respective counsel, the two matters from Mumbai can be clubbed and heard together.

6. Shri V.B. Wagh, learned Advocate from Aurangabad is present and he is requested to contact Shri J.S. Deshmukh, learned Advocate from Aurangabad for applicants in OAs No.215/2020 and 443/2020. Shri Wagh informs that Shri J.S. Deshmukh has consented before the Division Bench of MAT, Mumbai.

7. OAs No.215/2020 and 443/2020 are clubbed with OAs No.1235/2019 & 111/2020. These four matters are fixed on 12.2.2021.

8. Ld. Advocate from Nagpur be informed if they want to join and make their submissions and willing to come to Principal Seat at Mumbai. Ld. PO to file reply.

Sd/- 
(Mridula R. Bhatkar, J.)
Chairperson
12.1.2021

(sgj)

**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 : 12.01.2021</p> <p align="center">M.A. No.351 of 2020 in O.A.No.246 of 2019</p> <p>P. K. BodakeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Chief Presenting Officer for the Respondents. 2. This M.A. No.351/2020 is filed in pending O.A.246/2019. During the course of hearing of O.A., it was transpired that O.A. was not filed within limitation. It is on this background, now the Applicant has filed M.A.351/2020 for condonation of delay. Since, the learned C.P.O. is appearing for the Respondents, issuance of formal notice is dispensed with. 3. However, learned Counsel for the Applicant is directed to serve the copy of M.A. on Respondents. 4. The matter is adjourned for filing reply of M.A. 5. S.O. to 25.01.2021. <p align="right"> Sd/- (A.P. Kurhekar) Member(J) </p>

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.01.2021</p> <p align="right">O.A.No.381 of 2020</p> <p>U. V. IngawaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Learned Counsel for the Applicant submits that the Applicant wants to withdraw the Original Application and sought permission to withdraw the same. 3. Shri U. V. Ingawale, the Applicant is also present before the Tribunal and stated that he wants to withdraw the O.A. 4. Interim relief granted by this Tribunal stands vacated. 5. O.A. is accordingly disposed of with no order as to costs. <p align="right"> Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

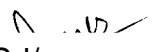
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.01.2021</p> <p align="center">O.A.No.382 of 2020</p> <p>A. D. KhadakeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record. 3. Learned P.O. submits that the matter is dealt with Smt. Kranti Gaikwad, learned P.O. but she is not available today and requested for adjournment. 4. Initially the main order was passed in O.A.381/2020 and 382/2020 out of it, O.A.No.381/2020 is withdrawn today. There is interim relief in favour of the Applicant till today. 5. Interim relief to continue till next date. 6. S.O. to 21.01.2021. <p align="right">  Sd/- v (A.P. Kurhekar) Member(J) </p>

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 12.01.2021</p> <p align="center">C.A. No.46 of 2020 in O.A. No.649 of 2016</p> <p>D.N. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This C.A. is directed for the implementation of the order dated 22.01.2018 passed by the Single Bench of this Tribunal in O.A. No.649/2016. 3. Learned P.O. points out the decision was taken about Shri D.N. Shinde i.e Applicant on 25.07.2019 by the State. It is placed on record marked as 'Exhibit 1'. On this learned P.O. submits that there is no C.A. as orders are complied with. 4. Learned Advocate for the Applicant submits that the present Applicant had filed the O.A.649/2016 alongwith Shri Prakash D. Shewale. He points out that the Respondents have sent Shri. P.D. Shewale for training of the Civil Engineer Assistant (C.E.A.), however they did not send the present Applicant, though the Applicant and Shri P.D. Shewale were similarly situated and holding the same post of Mistry in 2018-19, when Shri P.N. Shewale was sent for training. He submits further that the order of the Tribunal was technically considered by the Respondent and said order was not implemented in true letter and spirit. He further prays that therefore the Respondents are to be subjected to contempt and necessary orders to be passed. 5. Learned P.O. has submitted that the Respondent have implemented the order and therefore there is no contempt.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Perused the communication dated 25.07.2019 by Desk Officer, Water Resources Department addressed to Executive Engineer, in which the case of Applicant Shri D.N. Shinde was considered and with reasons it is stated the Applicant was not having requisite training and experience and therefore he cannot be sent for the training and cannot be considered.</p> <p>7. Learned Advocate for the Applicant has submitted that the copy of this decision was not served on him.</p> <p>8. Learned P.O. submits that the copy was forwarded to the Applicant as per the foot note of this order 'Exhibit 1' dated 25.07.2019.</p> <p>9. By this communication dated 25.07.2019 the Respondents have considered the case of the Applicant and have given a negative finding. However, that cannot amount to contempt. Hence dismissed.</p> <p style="text-align: center;"> Sd/- (P.N. Dixit) Vice-Chairman </p> <p style="text-align: center;">  Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.01.2021</p> <p align="right">O.A.No.341 of 2018</p> <p>J. S. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer holding for Smt. Kranti Gaikwad, laerned Presenting Officer for the Respondents.</p> <p>2. This is yesterday's Part-Heard matter which was adjourned for production of record of preliminary inquiry. However, learned C.P.O. seeks time to produce the papers of preliminary enquiry as the same are not forthcoming on record brought by the department.</p> <p>3. During the course of hearing, it was brought to the notice of the Tribunal that punishment was imposed on the basis of preliminary inquiry report only without calling those witnesses or evidences in regular inquiry so as to afford opportunity of cross examination of the witnesses to the Applicant. This seems to be the factual position. However, it is necessary to find out what was the preliminary enquiry and what was the material transpired during preliminary enquiry.</p> <p>4. S.O. to 18.01.2021.</p> <p align="right">Sd/-</p> <p align="right">W (A.P. Kurhekar) Member(J)</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 style="text-align: right;">Date : 12.01.2021</p> <p style="text-align: center;">O.A.No. 223 of 2020</p> <p>D. N. Kamble & Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The matter is for hearing at the stage of admission. However, learned P.O. requested for short time to file Sur-Rejoinder. 3. Some of the Applicants are already retired, and therefore, the matter needs to be expedited. 4. The matter is adjourned for hearing at the stage of admission with liberty to P.O. to file Sur-Rejoinder, if any. 5. S.O. to 21.01.2021. <p style="text-align: right; margin-right: 50px;"> Sd/- (A.P. Kurhekar) Member(J) </p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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">Date : 12.01.2021</p> <p align="center">O.A.No.379 of 2020</p> <p>R. M. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder. 3. The matter be kept for hearing at the stage of admission with liberty to file Rejoinder. 4. S.O. to 29.01.2021. <p align="right">Sd/- </p> <p align="right">v (A.P. Kurhekar) Member(J)</p>

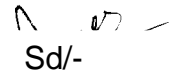

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 12.01.2021</p> <p align="center">O.A.No.1125 of 2019</p> <p>S. V. Lolge & Ors.Applicants</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed Affidavit in Sur-Rejoinder on behalf of the Respondent No.3. It is taken on record. 3. S.O. to 22.01.2021. <p align="right">  Sd/-  (A.P. Kurhekar) Member(J) </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.01.2021</p> <p align="center">O.A.No.252 of 2020</p> <p>V. B. BharaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The matter is for hearing at the stage of admission. 3. Shri A. J. Chougule, learned P.O. submits that the matter is being handled by Smt.Kranti Gaikwad who is not available today and requested for adjournment. 4. S.O. to 21.01.2021. <p align="right"> Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.01.2021</p> <p align="center">O.A.No.199 of 2020</p> <p>A. L.A. MujawarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. 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 25.01.2021. <p align="right"> Sd/- (A.P. Kurhekar) Member(J) </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 12.01.2021</p> <p align="center">O.A.No. 1179 of 2019</p> <p>C. P. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R.M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. On request of learned Counsel for the Applicant, two weeks time is lastly granted for filing Rejoinder. 3. S.O. to 29.01.2021. <p align="right"> [^] Sd/- Ww (A.P. Kurhekar) Member(J) </p>

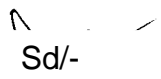

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 12.01.2021</p> <p align="center">O.A.No. 1199 of 2019</p> <p>Y. B. PhadApplicant</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. The matter is adjourned for final hearing on 25.01.2021.</p> <p align="right">  Sd/-  (A.P. Kurhekar) Member(J) </p>

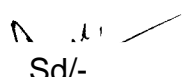
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Original Application No. _____ of 20____

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 : 12.01.2021</p> <p align="center">O.A.No.569 of 2020</p> <p>S. B. KhadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. short time is granted for filing written notes of argument.</p> <p>3. S.O. 15.01.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

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

Tribunal's orders

Date : 12.01.2021

O.A.No.546 of 2020

A.S. Gaikwad

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1.
2. There is no service of notice on Respondent No.2.
3. Learned Counsel for the Applicant submits that he will take necessary steps for service of notice on Respondent No.2.
4. Learned C.P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.
5. Issue notice before admission to Respondent No.2 returnable on 28.01.2021.
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
10. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
11. S.O. to 28.01.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.01.2021</p> <p align="center">O.A.No.783 of 2019 With O.A.No.802 of 2019</p> <p>C. S. Dhanawade & Anr.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K.R Jagdale, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In both the Original Applications, the Applicants are seeking declaration for absorption of service w.e.f. 10.03.2005 in terms of G.R. for absorption dated 10.03.2005.</p> <p>3. The Applicant in O.A. No.783/2019 was appointed as Copying Clerk on 03.11.1992 and the Applicant in O.A.No.802/2019 was appointed as Copying Clerk on 01.08.1991. In terms of G.R. dated 10.03.2005, they were required to be absorbed on regular basis w.e.f. 10.03.2005. However, the Applicant in O.A.No.783/2019 was regularized on the post of Talathi on 23.12.2005 and the Applicant in O.A.802/2019 was absorbed on the post of Talathi on 12.01.2006.</p>

-2-

4. Thus, grievance pertains to the date of absorption. The Applicants are placing reliance on the decision rendered by this Tribunal in **O.A.No.1016/2016 (Mr. Sarjerao Kshirsagar Vs District Collector, Sangali & Ors)** in which the Tribunal has placed reliance on the decision of the Hon'ble Supreme Court **(2014) 13 SCC 260 (Sandhya V/s State of Maharashtra & Ors.)** decided on 25.01.2018.
5. Thus, the decision in O.A.1016/2016 is already implemented by the Respondents therein. The Respondent No.3 in that matter was Secretary, Revenue & Forest Department, Mumbai and he is also the Respondent No.1 in this O.A.
6. Thus, the Applicants seem to be similarly situated persons and are entitled to the benefit and relief granted by the Tribunal in O.A. No.1016/2016.
7. Shri K.R. Jagdale, learned Counsel for the Applicants made fair submission that since the Applicants have not made any representation, liberty be granted to the Applicants to make representation and directions be issued to Respondents to decide the same within reasonable time.
8. Submission is quite fair as no representation is made by the Applicants prior to filing of present O.A.s
9. In view of above, Original Applications are disposed of with following directions.

ORDER

- (A) Applicants are at liberty to make representation to the Respondent No.2-District Collector, Satara /Sangali within two weeks from today and on receipt of representation, the Respondents shall decide it in accordance to law in the light of the decision rendered by this Tribunal in O.A. No.1016/2016 within two months from the date of receipt of representation.
- (B) The decision, as the case may be, be communicated to the Applicants with two weeks thereafter.
- (C) If the Applicants felt aggrieved by the decision, they may avail further legal remedy in accordance to law.
- (D) No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

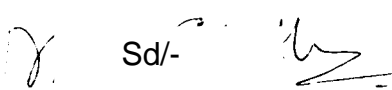
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>O.A. No.29 of 2021</u>
	<p>Dr. P.M. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.B. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant who is a Medical Officer has applied for Voluntary Retirement. As per his case he has joined as Medical Officer, Class-II on 16.11.1986. So as per his calculation he has completed 20 years in 2006. Earlier he had applied on 2.7.2019 for Voluntary Retirement. However, the said application was turned down by the Deputy Director, Health Services by communication dated 30.9.2019 on the ground that requisite notice of 3 months was not given to the authority.</p> <p>3. Ld. Advocate for the applicant points out that on 18.11.2019 the applicant has submitted the application requesting that he be relieved from service on 1.3.2020. In fact he has completed 58 years on 31.3.2019.</p> <p>4. The respondents are directed to decide the representation of the applicant within four weeks. With these directions the OA is disposed off. Steno copy granted.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (P.N. Dixit) Vice-Chairman 12.1.2021 (sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-  (Mridula R. Bhatkar, J.) Chairperson 12.1.2021</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

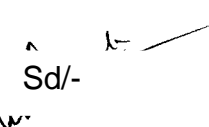
(Advocate

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>Date : 12.01.2021</p> <p>O.A.No.548 of 2020</p> <p>G. R. GavitApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondent No.1 and Smt. Punam Mahajan, learned Counsel for the Respondent No.2.</p> <p>2. On request of learned P.O. for the Respondent No.1 and learned Counsel for the Respondent No.2, two weeks time is granted for filing reply.</p> <p>3. S.O. to 28.01.2021.</p> <p style="text-align: right;">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

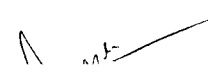

(Advocate

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>Date : 12.01.2021</p> <p style="text-align: center;">O.A.No.547 of 2020</p> <p>V. D. PangarkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Smt. Punam Mahajan, learned Counsel for the Respondent No.2.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. On request of learned Counsel for the Respondent No.2, two weeks time is granted for filing reply.</p> <p>4. S.O. to 28.01.2021.</p> <p style="text-align: right;">  Sd/-  (A.P. Kurhekar) Member(J) </p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

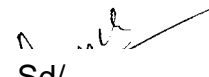
(Advocate)

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>Date : 12.01.2021</p> <p>O.A.No.544 of 2020</p> <p>D. J. Pagare ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Smt. Punam Mahajan, learned Counsel for the Respondent No.2.</p> <p>2. On request of learned P.O. learned P.O. and learned Counsel for the Respondent No.2, two weeks time is granted for filing reply.</p> <p>3. S.O. to 28.01.2021.</p> <p style="text-align: right;">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</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 Date : 12.01.2021
	<p align="center">O.A.No.434 of 2020</p> <p>S. R. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, learned Counsel for the Applicant has filed Rejoinder of the petitioner. It is taken on record. 3. As the pleadings are complete, the matter is adjourned for hearing at the stage of admission. 4. S.O. to 01.02.2021. <p align="right">Sd/- W (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

Date : 12.01.2021

O.A.No.05 of 2021

A. D. Jadhav

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Issue notice before admission returnable on 29.01.2021.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

8. S.O. to 29.01.2021.

Sd/-

v

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

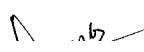

of 20

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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 : 12.01.2021</p> <p>M.A. No.16 of 2021 in O.A.No.154 of 2020 with O.A.242 of 2020 with O.A.243 of 2020</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>H.G. Holmukhe ...Respondent (Ori. Applicant)</p> <p>1. Heard Shri A. J. Chougule, learned Presenting Officer holding for Ms S.P. Manchekar, learned Chief Presenting Officer for the Applicants (Ori. Respondents) and Shri A. V. Bandiwadekar , learned Counsel for the Respondent (Ori. Applicant).</p> <p>2. Since Shri A. V. Bandiwadekar, learned Counsel who appeared for Original Applicants in O.A.No.154, 242 and 243/2020 is present and ready to appear in the matter, the notice is dispensed with.</p> <p>3. On request of learned Counsel for the Ori. Applicant, two weeks time is granted for filing reply to M.A.</p> <p>4. S.O. to 28. 01.2021.</p> <p align="right">  Sd/-  (A.P. Kurhekar) Member(J) </p> <p>vsm</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>Date : 12.01.2021</p> <p align="center">M.A. No.14 of 2021 in O.A.No.180 of 2020</p> <p>The State of Maharashtra & OrsApplicants (Ori. Respondents)</p> <p>Versus</p> <p>R. B. Dhaktode & Ors. ...Respondents (Ori. Applicants)</p> <ol style="list-style-type: none"> 1. Heard Shri A. J. Chougule, learned Presenting Officer the Applicants (Ori. Respondents) and Smt. Punam Mahajan, learned Counsel for the Respondent (Ori. Applicant). 2. This Misc. Application is for grant of two months extension for compliance of the order passed on 10.12.2020 in O.A.No.180/2020 whereby the directions were given to take appropriate decision on the representation made by the Applicant for repatriation in Dairy Development Department within a month. 3. O.A.No.180/2020 is still pending, awaiting appropriate orders on representation. 4. Learned P.O. submits that the matter is under consideration and requested for reasonable time. 5. In view of above, one month's time is granted for compliance of the order dated 10.12.2020 passed in O.A.No.180/2020. 6. Accordingly, Misc. Application is disposed of with no order as to costs. 7. O.A.No.180/2020 be kept on 11.02.2021 for compliance report and hearing, if required. <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p>

vsm

[P.T.O.]

**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

Date : 12.01.2021

O.A.No.724 of 2020

M. B. Jadhav

....Applicant

Versus

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

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

2. Today, learned P.O. for the Respondents has filed reply on behalf of the Respondent No.2. It is taken on record,

3. On request of learned P.O., one week's time is granted for filing reply of behalf of the Respondent No.1.

4. S.O. to 19.01.2021.

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>Date : 12.01.2021</p> <p>O.A.No. 668 of 2020</p> <p>Dr. D. P. ManeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. R. Ghanavat, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer holding for Ms S .P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder. 3. Interim relief to continue till next date. 4. S.O. to 29.01.2021. <p style="text-align: right;">Sd/- W~ (A.P. Kurhekar) Member(J)</p> <p>vsm</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>Date : 12.01.2021</p> <p>O.A.No.632 of 2020 with O.A. No.633 of 2020 with O.A.No.634 of 2020</p> <p>S. S. Khatke & 2 Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Shri A. J. Chougule holding for Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. In all these matters, challenge is to the transfer order dated 29.10.2020.</p> <p>3. Today, however learned P.O. for the Respondents has tendered the copies of orders dated 03.11.2020 and 05.11.2020 passed by the office of Director General of Police thereby cancelling/modifying the impugned transfer orders. Those orders of cancellation are taken on record and marked by letter 'X'.</p> <p>4. Thus, in view of cancellation of the impugned orders, challenge to the transfer order does not survive.</p> <p>5. All these Original Applications are accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</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>Date : 12.01.2021</p> <p>O.A.No.793 of 2020</p> <p>N. A. Borde ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri L. S. Deshmukh, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. At the very outset, it needs to be stated that the state of affairs of the administration has noticed from the record is totally surprising since the Applicant who is transferred by order dated 16.07.2020 by order of Tribal Development Commissioner, Thane is not allowed to join at the place of his transferred place by Head Master of the Government Ashram School, Chikhalgaon i.e. the place where he was transferred. The Applicant was relieved from the Government Ashram School, Sasane, Tal. Murbad, Dist. Thane on 02.09.2020.</p> <p>3. In O.A., the Applicant has specifically contended that in first week of October, 2020 he went to Chikhalgaon for joining his duties but the Respondent No.6 did not allow him to join on the ground that the Applicant has not been relieved by the Project Officer (Respondent No.4).</p> <p>4. Indeed, once the Tribal Development Commissioner has transferred the Applicant and he was relieved on 02.09.2020, he ought to have been allowed to join immediately but unfortunately; he is kept out of service for the period more than four months without any fault on his part.</p> <p style="text-align: right;">[P.T.O.]</p>

5. Shri A.J.Chougule, learned P.O. submits that one week's time be granted for implementation of ~~the~~ ^{transfer} order.
6. In view of above, one week's time is granted for implementation of the transfer order dated 16.07.2020. The Respondents are directed to ensure that the Applicant is allowed to join immediately since he is kept out of service for a period for more than four months without any fault on his part.
7. In the meantime, Issue notice before admission returnable on 19.01.2021.
8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. 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.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
11. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
12. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
13. S.O. to 19.01.2021.

Sd/-

(A.P. Kurhekar)
Member(J)