

**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: 12.12.2023</p> <p>O.A. No.26 of 2022 with M.A. No.201 of 2022 with O.A. No.306 of 2022 with O.A. No.1089 of 2022 with O.A. No.428 of 2022 with O.A. No.696 of 2022 with O.A. No.697 of 2022 with O.A. No.698 of 2022 with O.A. No.952 of 2022 with O.A. No.1096 of 2022 with O.A. No.07 of 2023 with O.A. No.15 of 2023 with O.A. No.105 of 2023 with O.A. No.106 of 2023 with O.A. No.129 of 2023 with O.A. No.145 of 2023 with O.A. No.165 of 2023 with O.A. No.172 of 2023 with O.A. No.181 of 2023 with O.A. No.182 of 2023 with O.A. No.191 of 2023 with O.A. No.194 of 2023 with O.A. No.207 of 2023 with O.A. No.215 of 2023 with O.A. No.263 of 2023 with O.A. No.265 of 2023 with O.A. No.289 of 2023 with O.A. No.312 of 2023 with O.A. No.325 of 2023 with O.A. No.477 of 2023 with O.A. No.541 of 2023 with O.A. No.567 of 2023 with O.A. No.568 of 2023 with O.A. No.572 of 2023 with O.A. No.609 of 2023 with O.A. No.831 of 2023 with O.A. No.848 of 2023 with O.A. No.859 of 2023 with O.A. No.912 of 2023 with O.A. No.913 of 2023 with O.A. No.920 of 2023 with O.A. No.1099 of 2023 with O.A. No.1293 of 2023 with O.A. No.1294 of 2023 and Other Connected matters</p> <p>A.K. Pawar & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, Shri A.V. Bandiwadekar & Shri M.D. Lonkar, learned Advocates for the Applicants and Shri A.J. Chougule, Smt. K.S. Gaikwad & Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Commissioner of Police, Nashik</p> <p>(i) The D.C.P. (Adm) represents 'Commissioner of Police, Nashik'. He states that as directed 'Vacant Posts' of 21 'Police Constables' have been earmarked for 'Inter District Transfers' from establishments of (i) 'Commissioner of Police, Mumbai' and (ii) 'Superintendent of Police, Ratnagiri & (iii) Superintendent of Police Palghar'. He further states</p> <p align="right">[P.T.O.]</p>

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	<p>that in case of 21 'Police Constables' who were not relieved within 'One Month' by the respective police establishments after approval of their 'Inter District Transfers'; the 'Commissioner of Police, Nashik' has subsequently rejected their Applications.</p> <p>(ii). The 'D.C.P. (Adm.)' present on behalf of 'Commissioner of Police, Nashik' was thereupon informed that this course of action was not correct; as Applications submitted by the 21 'Police Constables' had already been approved by 'P.E.B.' for 'Inter District Transfers' and should not have been rejected just because police establishments of (i)'Commissioner of Police, Mumbai' (ii)'Superintendent of Police, Ratnagiri & (iii) 'Superintendent of Police, Palghar' did not relieve them within 'One Month'.</p> <p>(iii). The 'Commissioner of Police, Nashik' is therefore directed to forthwith restore back on record all such Applications and within 'One Week' convey willingness once again to accept the 21 'Police Constables' on 'Inter District Transfers'. The 21 'Police Constables' who are seeking 'Inter District Transfers' to the establishment of 'Commissioner of Police, Nashik'. They include (i) 19 'Police Constables' from establishment of 'Commissioner of Police, Mumbai' (b) 1 'Police Constable' serving in establishment of 'Superintendent of Police, Ratnagiri and (iii) 1 'Police Constable' serving in establishment of 'Superintendent of Police' Palghar'.</p> <p>3. Commissioner of Police, Pimpri-Chinchwad</p> <p>(i) The officer present on behalf of 'Commissioner Police, 'Pimpri-Chinchwad' is directed to act without further delay and convey to 'Commissioner of Police, Greater Mumbai' information about 'Vacant Posts' earmarked for 'Police Constables' seeking 'Inter District Transfer'; along with willingness to accept all such 'Police Constables' who are in establishment of 'Commissioner of Police, Greater Mumbai'.</p> <p>(ii) The Commissioner of Police Pimpri-Chinchwad to convey willingness for 'Inter District Transfer' of 'Police Constables' to 'Commissioner of Police; Greater Mumbai' by strictly observing guidelines in 'Clause 6.1' of the Home Department Circular dated 26.10.2003.</p>

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	<p>4. Superintendent of Police, Satara & Ahmadnagar The attitude of Superintendents of Police Satara & Ahmednagar has been indolent and therefore by way of last chance they are directed to move with alacrity and within 'One Week' provide information about 'Vacant Posts' earmarked for 'Police Constables' seeking 'Inter District Transfer' and their willingness accept all such 'Police Constables' who are in establishment of 'Commissioner of Police, Greater Mumbai'.</p> <p>5. Commissioner of Police, Greater Mumbai</p> <p>(i) The 'Joint Commissioner of Police (Administration), Greater Mumbai' was present. His assistance has been sought to reduce high pendency of cases relating to 'Inter District Transfers' from establishment of 'Commissioner of Police, Greater Mumbai'. The backdrop to directions given earlier 19.10.2023, 08.11.2023, & 21.11.2023 were explained to 'Joint Commissioner (Adm.), Greater Mumbai'.</p> <p>(ii) The 'Joint Commissioner (Adm.), Greater Mumbai' was informed that while the principal criteria used to relieve 130 'Police Constables' on 04.10.2023 and subsequently another 110 'Police Constables' on 04.11.2023 viz (i) Seniority based on Years of Service (ii) Husband-Wife being posted together in One District (iii) Serious Illnesses in Families etc. were all based on sound rationale; nonetheless it was evident that 'PEB' had not taken into consideration the 'Dates of Application' submitted by the 'Police Constables'.</p> <p>(iii) The 'Joint Commissioner (Administration), Greater Mumbai' stated various reasons as to why decision about 'Inter State Transfer' of 'Police Constable' have of late been delayed resulting in their requests being considered in staggered manner by the 'P.E.B.' He stated that there are large number retirements of 'Police Constable' every month. Besides,</p>

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	<p>most of those recruited as 'Police Constable' belong to districts other than Mumbai City & Mumbai Suburban; and hence large number of 'Police Constables' continue seeking 'Inter District Transfers'. The 'Joint Commissioner (Administration); Greater Mumbai' also highlighted the fact that number of Vacant Posts of 'Police Constable' in the establishment of 'Commissioner of Police, Greater Mumbai' is at critical level on account of the cumulative effect of disruptions in cycles of direct recruitment of 'Police Constables' primarily due to 'Covid-19 Pandemic'.</p> <p>(iv) The 'Joint Commissioner of Police (Adm.), Greater Mumbai' was thereupon informed that due consideration nonetheless has to be given to the fact that several 'Police Constables' do have compelling 'Personal Reasons' which make them seek 'Legal Redressal' of their grievances by invoking 'Section 19' of 'The Administrative Tribunal Act, 1985'. Therefore; an equitable criteria could be explored based on non-subjective parameters; for instance 'Seniority List' of 'Police Constables' for 'Inter District Transfer' prepared using 'Weighted Average Method' based on (i) Length of Total Service in Number of Days & (ii) Waiting Period in Number of Days since Date of Application. Further it was mentioned to 'Joint Commissioner of Police (Adm.), Greater Mumbai' that as no substantive issues of law are involved in pending cases and therefore redressal of grievances of such 'Police Constables' regarding early consideration of their requests for 'Inter District Transfers' must happen through time bound decisions being taken by 'P.E.B'.</p> <p>(v) The 'Joint Commissioner of Police (Adm.), Greater Mumbai' was accordingly informed to propose by the next date; few legally tenable non-discriminatory options which can be sustainably adopted to reduce the high pendency of cases pertaining to 'Inter District Transfer' of 'Police Constables' from the establishment of 'Commissioner of Police, Greater Mumbai'.</p> <p>6. S.O. to 09.01.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 12.12.2023</p> <p style="text-align: center;">O.A. No.659 of 2023 with O.A. No.660 of 2023</p> <p>S.G. Beldar & Ors., N.K. Zanke & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submitted 'Additional Affidavit-in-Reply' filed on 11.12.2023 on behalf of the Respondent. The 'Additional Affidavit-in-Reply' of the Respondent mentions about 'Writ Petition No.2548/2023' filed in Hon'ble Bombay High Court by which G.A.D. G.R's. dated 01.02.2023 and 28.02.2023 relating to implementation of 'Notification' dated 29.08.2019 had been challenged on grounds of violation of the 'Article 14 to Article 16' of 'Constitution of India'. The 'Writ Petition No.2548/2023' was dismissed by Hon'ble Bombay High Court. However, now 'Special Leave Petition' has been filed before the 'Hon'ble Supreme Court of India'.</p> <p>3. The G.A.D. letter dated 13.10.2023 & 17.10.2023 directs to all 'Administrative Departments' to not go ahead with 'Direct Recruitment' in respect of posts in areas under 'PESA Act, 1996', because 'Special Leave Petition' is 'Sub-Judice' before 'Hon'ble Supreme Court of India'.</p> <p>4. The G.A.D. letters dated 13.10.2023 & 17.10.2023 however do not mention anything with regard to implementation of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' in respect of posts in areas under 'PESA Act 1996'.</p> <p style="text-align: right;">[P.T.O.]</p>

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

Tribunal's orders

5. The 'Chief Conservator of Forest, Thane' had not considered earlier requests of Applicants to be transferred to vacant posts of 'Forest Guards' in areas under 'PESA Act, 1996'. The grievance of the Applicants is that they were infact not made aware by 'Chief Conservator of Forest, Thane' about the fact that they were not to give 10 options as per G.A.D. G.R. dated 09.04.2018 for post of 'Forest Guards' in areas under 'PESA Act, 1996'. Be as it may; there is no such restrictions about considering Applicants request now for transfer to posts of 'Forest Guards' in areas outside of 'PESA Act, 1996'.

6. The 'Chief Conservator of Forest, Thane in these circumstances to obtain 10 options afresh from Applicants as per G.A.D. G.R. dated 09.04.2018 which was not diligently implemented earlier with due counseling and upon full disclosure of available posts of 'Forest Guards' in areas outside of 'PESA Act 1996'. The 10 options must be sought after full disclosure of all available posts of 'Forest Guards' in areas outside of 'PESA Act, 1996' in 'Sahapur Forest Division'. Then 'Mid-Term' transfer of the Applicants may be done on such posts of 'Sahapur Forest Division' based on 10 options submitted afresh and upon observing provisions of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'.

7. The 'Chief Conservator of Forest, Thane' to preferably complete this exercise within next 'Four Weeks'.

8. S.O. to 04.01.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

NMN

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IN

Original Application No.

of 20

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 12.12.2023</p> <p style="text-align: center;">O.A. No.1465 of 2023</p> <p>S.S. JatureApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant has filed 'Affidavit-in-Rejoinder' on behalf of the Applicant on 04.12.2023. It is taken on record. 3. Learned P.O. has filed 'Affidavit-in-Sur Rejoinder' dated 08.12.2023 on behalf of the Respondent No.2. It is taken on record. Learned P.O. further seeks time to file 'Affidavit-in-Sur Rejoinder' on behalf of the Respondent No.1. Time as prayed is granted to learned P.O. 4. Learned Advocate for the Applicant by way of 'Affidavit-in-Rejoinder' dated 04.12.2023 has enclosed copy of 'Notice 0126' published on 27.05.2023 which indicates that the 'Commissioner of Police, Greater Mumbai' has deployed '69 Police Head Constables, 08 Police Naiks and 13 Police Constables', to work as 'Wireless Operators'. However, officer present on behalf of 'Commissioner of Police, Greater Mumbai' states that they have not been deployed to work in 'Control Room' and 'Regional Control Rooms'.

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	<p>5. The fact remains that 'Transfer Orders' dated 30.09.2022 and 20.10.2022 of 'Additional Director General of Police & Director Wireless and Transport, Maharashtra State, Pune' are still to be implemented and there is no affirmation in this regard in 'Affidavit-in-Sur Rejoinder' filed today by Respondent No.2 as to when the 'Police Head Constables' - 'Wireless Operators' will be relieved. However these are administrative matters they can be resolved through better coordination between 'Additional Director General of Police & Director Wireless and Transport Maharashtra State, Pune' and 'Commissioner of Police, Greater Mumbai'. Accordingly, 'Additional Director General of Police & Director Wireless and Transport, Maharashtra State, Pune' is directed to file 'Affidavit-in-Reply' as to by when implementation of the 'Transfer Orders' dated 30.09.2022 and 20.10.2022 will be done with concurrence of 'Commissioner of Police, Greater Mumbai'.</p> <p>6. S.O. to 03.01.2024.</p> <p style="text-align: right;">sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.12.2023</p> <p>M.A.No.716/2023 in O.A.No.365/2021</p> <p>U.A. Patil ...Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. M.A.No.716/2023 is filed seeking expedite hearing of O.A.No.365/2021.</p> <p>3. Learned Counsel has submitted that order dated 08.02.2021 terminating the service of the Applicant in the light of G.R. dated 26.08.2014 is challenged.</p> <p>4. At present we are dealing with the matter of the year 2017, hence the present O.A. i.e. O.A.No.365/2021 wherein subject matter is 'Termination from Service' will be taken up for hearing in the month of April, 2024.</p> <p>5. M.A. stands disposed of and O.A. adjourned to 02.04.2024.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 12.12.2023

O.A.No.494/2023

S.K. Nachare & Ors. ...Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned P.O. seeks time to file reply.

3. Time granted. Adjourned to 02.01.2024.

SD/-

SD/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.12.2023</p> <p>C.A.No.70/2023 in O.A.No.823/2022 with C.A.No.75/2023 in O.A.No.116/2021</p> <p>A.T. Patil & Ors. ...Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that the Petitioner State has challenged the order dated 08.02.2023 passed by the M.A.T. Bench Aurangabad in O.A.No.25/2019 has been challenged before the Hon'ble High Court, Aurangabad Bench. She has produced copy of order dated 20.10.2023 passed by the Hon'ble High Court in Writ Petition No.13094/2023 wherein it is stated that,</p> <p style="padding-left: 40px;">"3. Until further orders, the Original Applicant shall not initiate steps for seeking execution of the impugned judgment dated 08.02.2023."</p> <p>3. Learned Counsel has submitted that no stay has been obtained by the State from the Hon'ble High Court, Aurangabad Bench.</p> <p>4. In view of these submissions, we are of the view that there is judicial propriety to give some reasonable time to the Applicant to get the order in the present Writ Petition from the Hon'ble High Court, Aurangabad Bench.</p> <p>5. Adjourned to 23.01.2024.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 12.12.2023

O.A.No.327/2016

M.M. Kathe & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. We direct Mr. Sanjeev Singhal. Additional Director General of Police (Estt.) to remain present today at 1.30 p.m.

Sd/-

**(Medha Gadgil)
Member (A)**

prk

Sd/-

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.12.2023</p> <p>O.A.No.94/2022 with O.A.No.249/2022</p> <p>S.S. Zade & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Ms. S. Suryawanshi, learned Counsel for the Respondent No.2.</p> <p>2. Learned C.P.O. has submitted that during the course of the day reply will be filed.</p> <p>3. It be taken on record. Copy be served upon the concern.</p> <p>4. Adjourned to 09.01.2024. P.H.</p> <p>SD/- (Medha Gadgil) Member (A)</p> <p>SD/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="781 325 1029 354">Date : 12.12.2023</p> <p data-bbox="833 380 1414 445">C.A.No.42/2021 in O.A.No.678/2020 with O.A.No.679/2020 with O.A.No.680/2020</p> <p data-bbox="781 476 1414 541">S.S. Mujawar ...Applicant Vs.</p> <p data-bbox="781 541 1442 572">The State of Maharashtra & Ors.Respondents.</p> <p data-bbox="781 601 1468 775">1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p data-bbox="781 817 1214 848">2. Adjourned to 08.02.2024.</p> <p data-bbox="813 945 1016 1057">SD/- (Medha Gadgil) Member (A)</p> <p data-bbox="1175 945 1463 1057">SD/- (Mridula Bhatkar, J.) Chairperson</p> <p data-bbox="786 1065 818 1088">prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.12.2023</p> <p>O.A.No.1169/2022 with O.A.No.483/2023 with O.A.No.726/2023 with O.A.No.894/2023 with O.A.No.895/2023 with O.A.No.896/2023 with O.A.No.612/2023</p> <p>K.A. Devkate & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.V. Shinde, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel has submitted that today he will file rejoinder in O.A.No.1169/2022, O.A.No.483/2023 and O.A.No.612/2023. It be taken on record. Copy be served upon the concern.</p> <p>3. Adjourned to 18.12.2023.</p> <p>SD/- SD/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>12.12.2023</u></p> <p><u>O.A 534/2023</u></p> <p>Smt Anita K. Bidwe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Ratan L Adhe, holding for Shri Mayur Jadhav, learned advocate for the applicant and Smt K.S Jadhav, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant prays that the Respondents No 2 & 3 be directed to decide the representations dated 14.10.2019, 11.3.2020, 31.8.2020, 9.9.2020, 3.3.2021, 16.6.2021 and 25.4.2022, expeditiously as possible.</p> <p>3. The applicant who is widow of 'Martyr' Krishnakumar Vijayak Bidwe, has made a representation for releasing benefits such as promotion, increments, ancillary allowances etc. to the family.</p> <p>4. In view of the submissions made by the learned counsel for the Applicant, we direct Respondent No. 1 to take decision on the representation filed by the applicant on or before 12.1.2024.</p> <p>5. With the above directions, O.A stands disposed of.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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>12.12.2023</u></p> <p><u>O.A 147/2021</u></p> <p>G.R Chavan & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. At the request of learned counsel for the applicants, matter adjourned to 9.1.2024.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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

Tribunal's orders

Date: 12.12.2023

O.A. No.1533 of 2023

S.A. BagulApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 03.01.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
8. S.O. to 03.01.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

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

Tribunal's orders

Date : 12.12.2023

R.A.No.8/2023 in O.A.No.462/2022

M.R. Khude & Anr.Applicants
Vs.
State of Maharashtra & Ors.Respondents.

1. Heard Ms. Punam Mahajan, learned Counsel for the Applicants (through video conferencing) and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Mr. Ramesh B. Khude (Husband of Applicant No.1 and father of Applicant No.2) was Police Constable died in harness on 23.07.2012. Applicant No.2's date of birth being 18.07.2002, he was 10 years old when his father died in accident. The name of Applicant No.1 (wife) was shown in the wait list as she submitted her application that she be appointed on compassionate ground on 26.09.2012.
3. Learned P.O. has relied on the affidavit-in-reply dated 28.07.2023 filed on behalf of Respondent No.2 through Mr. Dharmapal Mohan Bansode, Assistant Commissioner of Police (Admn.) in the officer of Commissioner of Police, Navi Mumbai.
4. Learned P.O. seeks time to cite judgments of the Hon'ble Supreme Court and Hon'ble High Court.
5. Adjourned to 18.12.2023 at 10.15 a.m.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.12.2023</p> <p>O.A.No.1541 of 2023</p> <p>Mrs. S. S. MoreyApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri S. S. Morey, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.2. The Applicant challenges the order dated 23.11.2023 issued by the Respondents about Seniority List for promotion of Assistant Matron and the proposed list of candidates for promotion to post of Assistant Matron dated 29.11.2023.3. The Applicant in Seniority List dated 23.11.2023 is shown at Sr. No.29 and she had joined as the Staff Nurse on 10.10.1997. While deciding the seniority, the Respondents have fixed the criteria of 'Date of Joining'. Learned Counsel submits that if at all this criteria is applied then the Applicant should be placed at Sr. No.2 as one Assistant Matron who is shown at Sr. No.2 had joined in the year 2000.4. Learned Counsel for the Applicant prays for stay to DPC as the DPC is going to be conducted on 14.12.2023. He submits that Respondent to prepare correct list of seniority by computing the services of the Applicant from the date of joining and consider her for promotion of Assistant Matron.5. The office objection, if any, are to be removed and court fees to be paid, if not already paid.6. Issue notice before admission returnable on 14.12.2023.

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

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

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

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

11. S.O. to 14.12.2023.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.12.2023 O.A.No.750 of 2023</p> <p>B. P. DhageApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Abhijit Desai holding for Shri S. D. Patil, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Interim Relief to continue till next date.</p> <p>3. The matter is adjourned to 23.01.2024 (F.O.B.).</p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>vsm</p>

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

Tribunal's order

Date : 12.12.2023

O.A.No.1530 of 2023

V. B. Kendre

....Applicant

Versus

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

1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 09.01.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
8. S.O. to 09.01.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 12.12.2023</p> <p>O.A.No.327/2016</p> <p>M.M. Kathe & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. We direct Mr. Sanjeev Singhal. Additional Director General of Police (Estt.) to remain present today at 1.30 p.m.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>12.12.2023</u></p> <p><u>O.A 1169/2022 with 483, 726, 894, 895, 896 & 612/2023</u></p> <p>Shri K.A Devkate & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.V Shinde, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. At the request of learned counsel for the applicants, adjourned to 18.12.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>