

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p align="center"><u>O.A. No.202 of 2016</u></p> <p>S.S. Ketkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondent No.1 & 2 and Shri S.P. Wasnik, learned Advocate for Respondent No.3.</p> <p>2. Joint Secretary, Medical Education Department and concerned officer from the office of MPSC are directed to remain present at 1.00 p.m. with relevant records.</p> <p>3. Kept back.</p> <p align="center">Sd/- Sd/- (Mridula Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 13.3.2023 13.3.2023</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.127 of 2016</u></p> <p>A.P. Avhad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that respondent no.3, who was earlier appointed to the post of Project Officer/Assistant Commissioner of Tribal Development Department has expired on 29.4.2021 during pendency of OA. Photocopy of death certificate is taken on record and marked as Court Exhibit 1 for identification. Hence, that post is now vacant. Moreover, he pointed out order dated 2.2.2016 of the Tribunal. Relevant para of the said order reads as under:</p> <p align="center"><i>"S.O. to 16.2.2016. The learned PO do waive service. The applicant to serve respondent no.3. It is directed that in the meanwhile, even if the post in question is filled up, the selected candidate/s will have to be informed that their selection is subject to the outcome of this OA."</i></p> <p>3. Ld. PO requests to keep back the matter as officer from the office of respondents is not present.</p> <p>4. Kept back.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 13.3.2023 13.3.2023</p> <p>(sgj)</p> |

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| | <p>Date : 13.03.2023</p> <p>O.A.No.654/2018 with O.A.No.1052/2022</p> <p>S.H. Bobade & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Pursuant to order dated 09.03.2023 Respondent has furnished the copies of four application form filled on 31.12.2016 for perusal. Taken on record and marked as Exhibit-I, Exhibit-II, Exhibit-III and Exhibit-IV.</p> <p>3. Learned Advocate has submitted that the Session Judge has dealt with this issue stating that the M.P.S.C. has not collected the required evidence of Internet Protocol (IP) as to why these four application forms were filled from same IP address. In the show cause notice there is no reference of this fact.</p> <p>4. We called upon learned Advocate to satisfy us on this point.</p> <p>5. Learned Advocate relies on unnumbered paragraph 3 and 7 of page 22 wherein whatever M.P.S.C. has mentioned in the show cause notice they did not rely on it in the final order. Hence, whatever grounds are taken in the final order dated 09.04.2018 are not part of show cause notice dated 05.12.2017.</p> <p>6. Adjourned to 15.03.2023. P.H.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p> |

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| | <p>Date : 13.03.2023</p> <p style="text-align: center;">M.A.No.151/2023 in O.A.No.465/2018 with O.A.No.465/2018 With M.A.No.152/2023 in O.A.No.464/2018 with O.A.No.464/2018</p> <p>I.B. Mane & OrsApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In these M.As. Applicants, Mr. Vaibhav Babaso Patil and Mr. Indrajit Balaso Mane have prayed to direct the Respondent, M.P.S.C. to allow the Applicants to appear for the examination pursuant to the Advertisement No.11/2023 for the Maharashtra Gazetted Civil Services Composite Preliminary Examination of 2023 subject to the outcome of O.As or to hear the matter peremptorily for final hearing.</p> <p>3. The Applicants in O.As have prayed to set aside the impugned order dated 09.04.2018 passed by the Respondent M.P.S.C. under which the Applicants have been declared as ineligible to appear in all examinations and selection conducted by the Respondent w.e.f. 22.02.2015 and debarring them permanently. Accordingly, Applicants be granted all the consequential service benefits, as if the impugned order had not been passed.</p> |

Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
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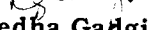
4. Applicant Mr. Vaibhav Babaso Patil who has filled up his form for the post of Tax Assistant Examination 2014 pursuant to the advertisement date 02.08.2014 and the Applicant Mr. Indrajit Balaso Mane has helped him in personation in the same name appearing for the examination. M.P.S.C. by order dated 09.04.2018 has debarred both the Applicants permanently from 22.02.2015.

5. It appears that the O.As are filed and they are pending since 2018. The M.P.S.C. has issued the advertisement for Multi Cadre post and the last date of filling the forms is 22.03.2023 and so it is prayed that the Applicants should be allowed to fill up the forms and appear for the examination pursuant to the advertisement No.21/2023.

6. We have perused the order by which they are permanently debarred. We are of the view that considering the nature of offence mentioned in the said order we are not inclined to allow the applicants to appear for this examination.

7. In view of above, M.A.Nos.151 & 152 of 2023 stands rejected and O.A.Nos.465 & 464 of 2023 adjourned to 21.03.2023.

Sd/-


(Medha Gadgil)
Member (A)

Sd/-


(Mridula Bhatkar, J.)
Chairperson

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| | <p>Date: 13.03.2023</p> <p style="text-align: center;">M.A. No.02 of 2023 in O.A. No.1274 of 2022</p> <p>B.S. Kapse,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record. 3. In M.A. learned P.O. has also raised issue of non-addition of Respondents namely the Superintendent of Police, Sangli ^{Sangli} (Rural) and the Superintendent of Police, Pune (Rural). 4. Learned Advocate for the Applicant requested for permission to add them as Respondent Nos.4 & 5 respectively. 5. On perusal of record reveals that at the time of retirement Applicant was posted at the Superintendent of Police, Sangli ^{Sangli} (Rural) which is necessary party. Besides he is also claiming certain amount of Interstate Kamgiri with interest which pertains to the Superintendent of Police, Pune (Rural) which is also necessary party. 6. In view of above, the Applicant's Counsel is permitted to add them as Respondent Nos.4 & 5. It be joined forthwith as Respondent Nos.4 & 5 in M.A. as well as O.A. 7. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply to newly added Respondents. |

[P.T.O.]

Tribunal's orders

8. In the meantime, notice be issued to newly added Respondent Nos.4 & 5 before admission returnable on 10.04.2023.

9. 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.

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. 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.

12. 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.

13. S.O. to 10.04.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

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| | <p>Date : 13.03.2023</p> <p align="right">O.A.No.825 of 2021</p> <p>G. S. KaranjeApplicant</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. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., the matter is adjourned to 17.03.2023.</p> <p>3. S.O. to 17.03.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 13.03.2023</p> <p>O.A.No.274 of 2023</p> <p>R. B. DongreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant who is serving as Assistant Commissioner of Police has challenged the transfer order dated 10.03.2023 issued by the PEB at the level of Commissionerate. He was serving at Crime Branch Detection -1, Thane and transferred to Human Resources Department, Thane.</p> <p>3. Learned Counsel for the Applicant sought interim relief inter-alia contending that Applicant has completed hardly six months tenure in Crime Branch Detection-1 and abruptly transferred by PEB at the level of Commissionerate in contravention of provisions of Maharashtra Police Act, 2015. According to him, Home Minister is the only competent authority for such transfer.</p> <p>4. Whereas learned P.O. submits that in place of Applicant one Shri Nilesh Sonawane is posted by order dated 10.03.2023 and he ought to have been joined as Respondent No.2. She further submits that the PEB is the competent authority for such transfers within Commissionerate. She sought one day time to tender the record of PEB.</p> <p>5. Since, in place of Applicant Shri Nilesh Sonawane is posted, he ought to have been joined as Respondent No.2.</p> <p>6. Permission is granted to learned Counsel for the Applicant to implead Shri Nilesh Sonawane as Respondent No.2. Necessary amendments be carried out in O.A. forthwith.</p> <p>7. S.O. to 14.03.2023 for consideration of interim relief.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 13.03.2023</p> <p>M.A. No.575 of 2021 in M.A.No.576 of 2021 in O.A.No.560 of 2020</p> <p>M. D. Rathod & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. Pooja Phagnekar holding for Shri Mohite , learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. These Misc. Applications are filed for condonation of delay and to restore the O.A. No.560/2020 which was dismissed in default on 30.08.2021. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 03.04.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 03.04.2023. <p style="text-align: right;">\n Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date: 13.03.2023</p> <p>O.A. No.1130 of 2022 with O.A. No.1131 of 2022 with O.A. No.1141 of 2022 with O.A. No.1142 of 2022</p> <p>L.S. Patil A.B. Sali S.B. Chaudhari S.R. AmbadekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 & 2 in O.A. No.1130/2022 & 1131/2022.</p> <p>3. No separate Reply is filed in these two O.A. No.1141/2022 and O.A. No.1142/2022 though issue is common. These two O.As shall proceed without Reply.</p> <p>4. All these O.As be kept for hearing with liberty to Applicant to file Rejoinder.</p> <p>5. S.O. to 03.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p align="right">P.T.O. → [P.T.O.]</p> |

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L.O.

6. In the afternoon session, learned C.P.O. tendered Affidavit in Reply in O.A.No.1141/2022 as well as in O.A.No.1142/2022. It is taken on record.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

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| | <p>Date : 13.03.2023</p> <p align="center">O.A.No.427 of 2018</p> <p>R. J. Sawant ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant sought time to file Vakalatnama and to file M.A. for amendment on the ground that Applicant had gone to Varanasi for family function.</p> <p>3. Indeed, enough time is granted for filing Vakalatnama. However, in the interest of justice 10 days' time is granted to file Vakalatnama and also to file M.A. for amendment.</p> <p>4. S.O. to 24.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 13.03.2023</p> <p align="center">O.A.No.730 of 2018</p> <p>B. I. FulariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present. 2. The matter was before the Division Bench and recently it is transferred to Single Bench in view of modification of office order about allotment of subjects to Single Bench. 3. Today, for the first time, it is listed before me for final hearing. 4. In the interest of justice, the matter is adjourned to give one opportunity to Applicant and his Advocate to remain present and argue the matter. 5. S.O. to 17.03.2023. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 13.03.2023</p> <p align="center">O.A.No.891 of 2018</p> <p>DR. D. R. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present. 2. The matter was before the Division Bench and recently it is transferred to Single Bench in view of modification of office order about allotment of subjects to Single Bench. 3. Today, for the first time, it is listed before me for final hearing. 4. In the interest of justice, the matter is adjourned to give one opportunity to Applicant and his Advocate to remain present and argue the matter. 5. S.O. to 17.03.2023. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.224 of 2023</p> <p>V.R. PanchalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant though stands retired on 28.02.2022 he is not paid retiral benefits, and therefore approached this Tribunal for direction to the Respondents to release retiral benefits. According to learned Advocate for the Applicant there is no legal hurdle to withheld retiral benefits but due to want of updation of service book retiral benefits are not paid.</p> <p>3. In view of above, O.A. is expedited.</p> <p>4. Learned P.O. is directed to take instruction from the Respondents and to apprise the Tribunal why retiral benefits are not paid.</p> <p>5. Learned Advocate for the Applicant is directed to serve the copy of O.A. to the Respondents by hand during the course of the day.</p> <p>6. S.O. to 14.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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| | <p>Date : 13.03.2023</p> <p align="center">O.A.No.68 of 2023</p> <p>Dr. V. P. KaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent No.1 and Smt. Punam Mahajan, learned Counsel for Respondent No.2.</p> <p>2. Today learned P.O. has filed short affidavit along with Minutes of Civil Services Board which was not filed along with Affidavit in Reply. It is taken on record.</p> <p>3. On week time is granted to Respondent No.2 to file reply as well as to Applicant to file Rejoinder, if any.</p> <p>4. S.O. to 20.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 13.03.2023</p> <p align="center">O.A.No.1263 of 2022</p> <p>N. C. DhageApplicant</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. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the suspension order dated 01.11.2021 whereby he was suspended in view of his detention in custody for more than 48 hours under the provisions of Prevention of Corruption Act exercising the power under Rule 4(2) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 inter-alia contending that he is subjected to prolong suspension of more than one year.</p> <p>3. The Respondent No.1- Government in its short Affidavit in Reply all that stated that the Review Committee by its decision dated 13.12.2022 has recommended to reinstate the Applicant and file is under process for approval of the Hon'ble Chief Minister.</p> <p>4. Affidavit in Reply was filed on 17.01.2023 and thereafter it was adjourned from time to time to facilitate the Government to produce the final order.</p> <p>5. Today, again learned P.O. submits that file is with the Hon'ble Chief Minister and sought time.</p> <p>6. Since, the Review Committee has already recommended for reinstatement of the Applicant and enough time is availed by the Government, the O.A. deserves to be disposed of by suitable directions. [P.T.O.]</p> |

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7. The O.A. is disposed of with direction to Respondent No.1 - Government to take final decision on recommendation of Review Committee within 10 days from today and the decision be communicated to the Applicant. If the Applicant felt aggrieved by the decision, he may avail legal remedy in accordance to law.

8. The Respondents are further directed to pass necessary orders for grant of subsistence allowance in terms of Rule 68 of Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981 within 10 days after the final decision of the Government.

9. No order as to costs.

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

vsm

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| | <p>Date: 13.03.2023</p> <p align="center">M.A. No.02 of 2023 in O.A. No.1274 of 2022</p> <p>B.S. Kapse,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record. 3. In M.A. learned P.O. has also raised issue of non-addition of Respondents namely the Superintendent of Police, Sangli (Rural) and the Superintendent of Police, Pune (Rural). 4. Learned Advocate for the Applicant requested for permission to add them as Respondent Nos.4 & 5 respectively. 5. On perusal of record reveals that at the time of retirement Applicant was posted at the Superintendent of Police, Sangli (Rural) which is necessary party. Besides he is also claiming certain amount of Interstate Kamgiri with interest which pertains to the Superintendent of Police, Pune (Rural) which is also necessary party. 6. In view of above, the Applicant's Counsel is permitted to add them as Respondent Nos.4 & 5. It be joined forthwith as Respondent Nos.4 & 5 in M.A. as well as O.A. 7. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply to newly added Respondents. <p align="right">[P.T.O.]</p> |

Office Note - Office Memoranda of Courts,
Appellate Tribunal's orders or
Sessions and Registrar's orders

Tribunal's orders

8. In the meantime, notice be issued to newly added Respondent Nos.4 & 5 before admission returnable on 10.04.2023.

9. 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.

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. 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.

12. 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.

13. S.O. to 10.04.2023.

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

NMN

**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 |
|---|-------------------|
|---|-------------------|

13.03.2023O.A 1032/2021

Shri A.L Jagtap

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

1. Heard Shri Kaustub Gidh, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O tenders apology and request that the say of the Respondents be accepted. The say of the Respondents is accepted.

3. Learned counsel for the applicant seeks time to file rejoinder.

4. S.O to 27.3.2023.

Sd/-

(Medha Gadgil)
Member (A)

Akn

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 |
|---|-------------------|

13.03.2023

O.A 253/2022 to O.A 258/2022

S.L Salunkhe & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Dr Radhakrishnan B. Pawar, Deputy Director, Public Health Department is present. Pursuant to the order dated 23.2.2023 he submits that proposal is already submitted to the Government on 27.2.2023. Again Director, Public Health Department, Pune has raised queries on 6.3.2023. He submits that reply to that query was given on 8.3.2022. The Director, Public Health Department, Pune has forwarded the proposal to the Government today, i.e., on 13.3.2023 and the same is pending.

3. In view of the above, matter is adjourned to 27.3.2023.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

Akn

(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 | <u>13.03.2023</u> | Tribunal's orders |
|---|--|--------------------------------------|
| | | <u>O.A 1121/2022</u> |
| | A.V Pujari | ... Applicant |
| | Vs. | |
| | The State of Maharashtra & Ors | ... Respondents |
| | <p>1. Heard Shri Kranti L.C, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O states that the G.R has been issued by the Government which has made available the 3rd option for transgender in public employment and education. Learned C.P.O further submits that amendment to the Recruitment Rules as regards the physical standards for transgenders in the matter of employment will be notified within a couple of days.</p> <p>3. Learned counsel for the applicant produces copy of the order dated 6.3.2023 of the Hon'ble Bombay High Court in W.P 7209/2022, Vinayak B. Kashid Vs. Maharashtra State Electricity Transmission Co Ltd., Pune and others, wherein the learned Advocate General submits that within a week a G.R would be issued making a third window available for Transgenders in public employment and education. He further submits that within a week Committee would be constituted for preparing the rules and the Committee will give its opinion within two months thereafter.</p> <p>4. S.O to 17.3.2023.</p> | |
| | Sd/- | Sd/- |
| | (Medha Gadgil) Member (A) | (Mridula Bhatkar, J.) Chairperson |
| | Akh | |

**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 |
|---|-------------------|

13.03.2023

O.A 896/2022

Smt Sujata Supnekar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kranti L.C, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned counsel for the applicant states that MPSC has not filed affidavit in reply. Matter to proceed without reply of MPSC.

3. Admit. Place for final hearing on 24.3.2023. Interim relief to continue.

Sd/-

(Medha Gadgil)
Member (A)

Akn

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.....)

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders 13.03.2023 |
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O.A 1028 with O.A 1009/2022

Dr D.R Arsale & Ors ... Applicants
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. Affidavit in reply has already been filed.

3. Admit. Place for final hearing with liberty to file rejoinder, if any.

4. S.O to 3.4.2023. H.O.B.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

Akn

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 |
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13.03.2023**O.A 10602/2022 with M.A 617/2022**

Shri J.V Salunkhe ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.

2. The husband of the applicant was convicted by the Learned Special Judge, Pune by order dated 31.3.2006 under the Prevention of Corruption Act, 1988 and he was dismissed from service by order 20.4.2007. The applicant filed appeal before the Hon'ble Bombay High Court. However, he expired on 28.3.2011. His legal heirs prosecuted the appeal and by order dated 1.2.2019 the applicant's husband was acquitted of all the charges by the Hon'ble High Court. No challenged was given to the said order of the Hon'ble High Court. The applicant is the widow of the deceased Government servant. The applicant has approached this Tribunal with a prayer that the said dismissal order be quashed and aside and the applicant is entitled to all service benefits. The Respondents have denied the service benefits of her husband by letter dated 3.3.2020.

3. The Commissioner of Police, Pune is directed to depute some responsible officer before this Tribunal on the next date.

4. Both M.A and O.A will be heard together on 17.3.2023.

Sd/-

(Medha Gadgil)
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p align="center"><u>13.03.2023</u></p> <p align="center"><u>M.A 409/2022 in O.A 671/2022</u></p> <p>Shri S.M Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Savita Suryavanshi, i/b P.H Hendre, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that she wants to move application for amendment in the Original Application.</p> <p>3. Permission granted.</p> <p>4. S.O to 27.3.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</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 |
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| | <p align="center"><u>13.03.2023</u></p> <p align="center"><u>O.A 908/2019</u></p> <p>Shri A.K Gogavle & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.M Ahire, holding for Shri M.M Deshmukh, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Last chance given to the Respondents to file affidavit in reply.</p> <p>3. S.O to 27.3.2023.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member (A) Akn</p> <p align="center">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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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.128 of 2023</p> <p>D.D. Kawade,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is subjected to prolong suspension from 31.03.2022. Period of more than one month is granted to file Affidavit-in-Reply but not filed. However, by way of last chance one week time is for filing Reply with specific direction that no further time will be granted.</p> <p>3. S.O. to 20.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.38 of 2023</p> <p>S.S. Kadam,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.2 to 4. It is taken on record. No separate Reply is filed on behalf of Respondent No.1. 3. Learned Advocate for the Applicant submits that he does not want to file Rejoinder. 4. Since pleading is complete, O.A. be kept for hearing at the stage of admission. 5. S.O. to 03.04.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.48 of 2023</p> <p>K.A. Shinde,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant in Person is absent. 2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. 3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply. 4. S.O. to 27.03.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p>Date: 13.03.2023</p> <p>O.A. No.78 of 2023</p> <p>B.L. Shelar,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. On request of learned P.O. one week time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 20.03.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</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 |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.101 of 2023</p> <p>A.M. Deshmukh,Applicant Versus 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. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 & 2. It is taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission with liberty to file Rejoinder.</p> <p>4. S.O. to 05.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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 |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.105 of 2023 with O.A. No.106 of 2023</p> <p>D.S. Chavan & Ors. S.P. Pulate & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance. 3. This O.A. be kept with connected O.A. on 27.03.2023. 4. S.O. to 27.03.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.27 of 2023</p> <p>Dr. S.D. Jadhav,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 to 3. 3. Learned Advocate for the Applicant has also filed Affidavit-in-Rejoinder. Both are taken on record. 4. Since pleading is complete, O.A. be kept for hearing at the stage of admission. 5. S.O. to 06.04.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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 |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.1151 of 2022</p> <p>P.S. Kadam,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Anjali Kolapkar, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Affidavit-inReply but the same is not filed. On previous date i.e. 28.02.2023 one week time was granted as last chanced but in vain.</p> <p>3. I am therefore not inclined to granted further time as sought by P.O.</p> <p>4. O.A. to proceed without Reply and it be kept for Final Hearing.</p> <p>5. S.O. to 05.04.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.1228 of 2022</p> <p>S.L. Shinde,Applicant 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 Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed during the course of the day. 3. O.A. be kept for hearing at the stage of admission with liberty to file Rejoinder, if any. 4. S.O. to 05.04.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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 |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.1304 of 2022</p> <p>D.S. Rasam,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed by tomorrow.</p> <p>3. S.O. to 14.03.2023</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.1318 of 2022</p> <p>P.R. Nimgire,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Shri A.U. Pawar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 27.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.139 of 2023</p> <p>R.S. Mane,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 27.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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 |
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| | <p>Date: 13.03.2023</p> <p align="center">O.A. No.161 of 2023</p> <p>M.S. Nagulpelli,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 05.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date: 13.03.2023</p> <p align="center">M.A. No.150 of 2023 in O.A. No.265 of 2023</p> <p>T.I. Mujawar & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

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

Tribunal's orders

Date: 13.03.2023

O.A. No.265 of 2023

T.I. Mujawar & Ors.,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. The Applicant is seeking Inter District Transfer from the establishment of the Commissioner of Police, Mumbai to the establishment of Superintendent of Police, Sangli in terms of Government regulation dated 26.10.2017.

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

4. Issue notice before admission returnable on 27.03.2023.

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

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

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

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

9. S.O. to 27.03.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

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

Tribunal's orders

Date: 13.03.2023

M.A. No.153 of 2023 in O.A. No.268 of 2023

M.A. Chopade & Anrs.,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. This M.A. is filed for condonation of delay of 02 years and 02 months caused in filing O.A. in which the Applicant is seeking compassionate appointment.
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice of M.A. to the Respondents before admission returnable on 10.04.2023.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
9. S.O. to 10.04.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date: 13.03.2023</p> <p>M.A. No.190 of 2022 in O.A. No.880 of 2021 with M.A. No.191 of 2022 in O.A. No.881 of 2021 with M.A. No.197 of 2022 in O.A. No.882 of 2021 with O.A. No.883 of 2021 with M.A. No.192 of 2022 in O.A. No.884 of 2021 with M.A. No.195 of 2022 in O.A. No.885 of 2021 with M.A. No.194 of 2022 in O.A. No.886 of 2021 with O.A. No.887 of 2021 with M.A. No.196 of 2022 in O.A. No.888 of 2021 with O.A. No.889 of 2021 with M.A. No.193 of 2022 in O.A. No.917 of 2021</p> <p>D.B. Mane H.R. Shegar H.G. Kulkarni P.H. Damodar V.P. Jagtap G.R. Brahmapukar S.K. Darekar R.K. Ghadge B.T. Bhamre B.B. Ingale K.N. GhadgeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Shri A.J. Chougule and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant adjourned to 10.04.2023.</p> <p>3. S.O. to 10.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p> <p align="right">[P.T.O.]</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date: 13.03.2023</p> <p align="center">M.A. No.563 of 2022 in O.A. No.889 of 2022</p> <p>P.N. Jadhav,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Perusal of record reveals that M.A. and O.A. are to be heard together. In M.A. and O.A. Reply is already filed. 3. Learned Advocate for the Applicant sought time to file Rejoinder in O.A. and sought short date. 4. S.O. to 20.03.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 13.03.2023</p> <p align="center">C.A.No.2/2023 in O.A.No.476/2022</p> <p>Dr. A.M. KadhikhayeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant, Mr. A.J. Chougule, learned Presenting Officer for the Respondents and Mr. D.K. Lokhande, learned Advocate for Respondent No.3..</p> <p>2. Learned Advocate Mr. Lokhande has submitted that the applicant has already received GIS and GPF. Leave encashment amount has been disbursed. The proposal of the regular pension has been sent to the office of Accountant General on 24.02.2023.</p> <p>3. Adjourned to 03.04.2023 for reporting progress.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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>Date : 13.03.2023</p> <p align="center">C.A.No.16/2023 in O.A.No.626/2022</p> <p>J.R. ChavanApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that the Department has taken decision on the representation. The applicant has been informed of the decision. However, no name has been made for the representation. She therefore seeks time to inform in details regarding the Applicant.</p> <p>3. Adjourned to 27.03.2023.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 13.03.2023</p> <p align="center">C.A.No.64/2022 in O.A.No.608/2019</p> <p>Dr. M.V. PandeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate has submitted that the process of granting regular pension to the Applicant is in course.</p> <p>3. Adjourned to 27.03.2023 for reporting the progress.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</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 : 13.03.2023</p> <p align="center">C.A.No.58/2022 in O.A.No.863/2017</p> <p>C.V. BhosleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks adjournment on the ground the decision in O.A. is challenged before the Hon'ble High Court and the said Writ Petition is pending before the Hon'ble High Court.</p> <p>3. Adjourned to 24.04.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p 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

Date : 13.03.2023

O.A.No.69/2022

Y.U. ShaikhApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. A.A. Siddiquie & Asso., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. has tendered affidavit-in-reply. It be taken on record. Copy is served on learned Advocate for the Applicant.

3. Learned Advocate has submitted that applicant was suspended on 31.03.2020. Thereafter he has submitted certificate of non-employment from June 2020. Though he has submitted the certificate that he was not employed during the period of suspension still he was not paid Subsistence Allowance during the pendency of the enquiry. The Departmental Enquiry was initiated on 24.04.2021 and concluded on 27.08.2021.

4. Learned Advocate relies on the judgment on Hon'ble Supreme Court in the case of **Inspector of Panchayats and District Collector, Salem Versus S. Arichandran and Ors. reported in AIR 2022 SC 4611.**

5. Learned Advocate has admitted that he had received notice of D.E. on 20.04.2021. He has submitted that he was not aware of the institution of the enquiry as the charge-sheet was not served on him therefore he could not give any reply. Enquiry was conducted ex-parte.

6. Adjourned to 14.03.2023 at 02.45 p.m.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 13.03.2023</p> <p align="center">O.A.No.1310/2022</p> <p>A.C. KadamApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is filed. Admit. Adjourned to 03.04.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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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 : 13.03.2023</p> <p align="center">O.A.No.1296/2022</p> <p>S.D. DableApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is filed. Admit. Adjourned to 03.04.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p 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

Date : 13.03.2023

C.A.No.24/2023 in O.A.No.1022/2021

O.K. Anvekar &Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Mr. 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 03.04.2023. Applicant is directed to serve concerned Respondents.

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 Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

8. Adjourned to 03.04.2023.

Sd/-

(Medha Gadgil)
Member (A)

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 : 13.03.2023</p> <p>O.A.No.266/2023</p> <p>U.S. AhireApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. D.B. Thoke, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 14.03.2023. Applicant is directed to serve M.P.S.C. forthwith.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 14.03.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="text-align: left;">prk</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p align="center"><u>O.A. No.205 of 2023</u></p> <p>C.D. Tambe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO on instructions submits that applicant retired in November, 2021, the enquiry was instituted in May, 2022 and enquiry officer was appointed on 7.1.2022. He further submits that out of 4 witnesses, one has expired, two are examined and remaining one will be examined on 21.3.2023.</p> <p>3. Ld. PO seeks time to file reply.</p> <p>4. S.O. to 27.3.2023.</p> <p align="right">Sd/- _____</p> <p align="center">Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 13.3.2023 13.3.2023</p> <p>(sgj)</p> |

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

Tribunal's orders

Date : 13.03.2023

O.A.No.241/2023

D.K. GhogewadApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. K.S. Gaikwad, 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 27.03.2023. Applicant is directed to serve concerned Respondents.
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 Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.
8. Adjourned to 27.03.2023.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson