


**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 : 13.08.2021.</p> <p align="center">C.A.No.22 of 2021 with O.A.No.21 of 2017</p> <p>A.A. PawarApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. In this matter learned P.O. informs that file of Mr. Deshpande is under process and it is at present is lying on the table of Desk No.1, Medical Education and Drugs Department, Mr. Ghanwat. Mr. Ghanwat is hereby directed to take decision within 7 working days as per Rule 10, Chapter III of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred as 'ROT Act, 2005' for brevity).</p> <p>3. The learned Counsel submits that there are total 18 vacant posts for direct recruit quota and the Government should consider the name of Mr. Deshpande in view of the Right to Information Act, (page 57 of this O.A.) on one of those total 18 posts which are still vacant. Government to consider the legal position on this issue.</p> <p>4. S.O. to 27.08.2021.</p> <p align="right">Sd/- </p> <p align="right">/ (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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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 : 03.08.2021.</p> <p align="center">C.A.No.25 of 2021 in O.A.No.728 of 2020</p> <p>N.K. Dalvi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files Affidavit-in-reply dated 13.08.2021 on behalf of Respondent, through Mr. Suraj D. Mandhare, District Collector, Nashik. The same is taken on record.</p> <p>3. In the said affidavit the Respondent has tendered unconditional apology for the delay whatever has been caused in complying the orders of this Tribunal.</p> <p>4. C.A. is disposed off.</p> <p align="right">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>Date : 13.08.2021.</p> <p>C.A.No.19 of 2020 in O.A.No.1158/2016 in O.A.No.352/2017 with O.A NO.353/2017</p> <p>S.K. Goraksha & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant files Charts showing dues not paid to them as per order of this Tribunal</p> <p>(a) Showing interest not paid by the Respondents to all 24 petitioners at the rate of 9% p.a. w.e.f. 09.03.2020.</p> <p>(b) The service benefits, difference of leave encashment not paid to 22 petitioners.</p> <p>(c) Pensionary benefits i.e. commutation difference not paid 24 petitioners.</p> <p>(d) Due drawn statement not provided to the petitioners & etc.</p> <p>3. The applicants have given total 8 charts specifying their claim which are not paid by the Government and which should have been remunerated as per the order of the Tribunal.</p> <p>4. The learned P.O. seeks time to find out compliance.</p> <p>5. Time granted. Adjourned to 27.08.2021.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Fhatkar, J.) Chairperson</p> <p>prk</p>

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

Date : 13.08.2021.

O.A.No.327 of 2021 with O.A.No.286 of 2020

A.A. Dabhade (O.A.327/2021)

R.Y. Reddiya (O.A.286/2020)Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant, Mr. C.T. Chandratre, learned Advocate for the Respondents No.2b, 2e, and 2f and Mr. Bhushan A. Bandiwadekar learned Advocate for Respondents No.2g and 2h, Mr. Ravindra K. Adsar a/w. Mr. Sidheshar N. Bradar, Mr. Yash P. Sonavane and Mr. Yogesh R. Joshi, learned Advocate for the Respondents No.3 & 4 in O.A.No.327/2021 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents 1 & 2.

2. Mr. S.S. Dere, the learned Advocate for the Applicant in O.A.No.286/2020 is absent.

3. The Respondents No.2c and 2d have not yet filed reply. The learned C.P.O. files affidavit-in-reply dated 12.08.2021 on behalf of Respondents No.1 & 2 through Mr. Sunil G. Gangarkar, Under Secretary, office of Water Resources Department, Mantralaya. The same is taken on record. Copy whereof is served upon learned Advocate.

4. Mr. C.T. Chandratre, learned Advocate for the Respondents No.2b, 2e, and 2f and Mr. Bhushan A. Bandiwadekar, learned Advocate for Respondents No.2g and 2h seeks time to file affidavit-in-reply.

5. Time granted. Adjourned to 06.09.2021.

Sd/-

/ (Mridula Ehatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.494 OF 2021

M.P. JamadarApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

Applicant in person.

Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : JUSTICE MRIDULA BHATKAR, CHAIRPERSON

DATE : 13.08.2021

ORDER

1. Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In this matter the Applicant who is retired Laboratory Technician, office of District Civil Surgeon Alibaug, Raigad prays that the Respondents be directed to release his annual increment of one year i.e. 2012-2013 which was due on 01.07.2013. The Applicant, after his nearly 30 years service retired on 30.06.2013 as per the Maharashtra Civil Services (Pay) Rules, 1981, revised Rules 2009 and the Notification of the Finance Department dated 22.04.1999 the date of next increment in Revised Pay Structure is mentioned as 1st July of every year. Since, the applicant retired on 30.06.2013 he was not in the service on 01.07.2013 therefore he was denied the increment of the year 2012-2013.

3. The Applicant submits that he was not aware of the legal position and therefore he approached this Tribunal now for his one year increment

of 2012-2013. The Applicant relies on the judgment of State of Tamil Nadu, rep. by its **Secretary to Government, Finance Department and Others Versus M. Balasubramaniam, reported in CDJ 2012 MHC 6525**. Similarly, the judgment of Madras High Court dated 15.09.2017 of the Division Bench in **Writ Petition No.15732 of 2017 in case of P. Ayyamperumal Versus The Registrar, Central Administrative Tribunal & 3 Ors.**. So also he pointed out the judgment of this Tribunal, Nagpur Bench dated 25.01.2019 in O.A.No.134/2018, Ramesh Buddulal Pandel Versus The State of Maharashtra & Anr.

4. Perused all the judgments placed before this Tribunal.

5. In case of **M. Balasubramaniam (supra)** and **of P. Ayyamperumal (supra)** the Madras High Court has taken a consistent view that if one full year of service is completed by the Government servant and he retires on the last date then he is eligible to get the increment for that year for which he has worked. Thus though he is not in service on 1st July as per the requirement he is entitled to get the increment. Similar, view is taken by this Tribunal at Nagpur Bench wherein the applicant in O.A.No.134/2018 had retired on 30.06.2014 i.e. one year after the applicant in present O.A., but increment of the entire year i.e. of 2013-2014 was ordered to be paid to him.

6. Prima facie, the view taken by the Madras High Court so also by the Tribunal not only stands to reason but is legal and just as any employee is entitled to get remuneration / payment for the work he has done. If at all the increment who falls due on 1st July of every year, the said increment is

to be considered as acknowledgment of the service rendered by the Government servant in the preceding year i.e. from July to June. If it is so then the applicant who retired on 30th July is entitled to get the increment of 2012-2013.

7. The Applicant seeks permission to make Finance Department as party Respondent No.4 as there is financial implication.

8. Leave granted to amend in cause title of the O.A. by adding Finance Department as Party Respondent No.4. Amendment to be carried out forthwith. Copy to be served on the Department and office of the C.P.O. immediately.

9. Deputy Secretary of the Finance Department i.e. proposed Respondent No.4 is directed to remain present along with the relevant record. He is also directed to inform whether the payment is made to the applicant in O.A.No.134/2018 (Nagpur Bench) pursuant to the order of the Tribunal.

10. Adjourned to 24.08.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

O.A. No.571 of 2021

A.S. Thool ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri Gunratan Sadavarte, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Perused the record. Status quo granted on 12.8.2021 be continued till 23.8.2021. The respondents are directed to file affidavit in reply before the next date.

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 23.8.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would 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. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

(Medha Gadgil)
Member (A)
13.8.2021

(sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.573 of 2021</u></p> <p>M.P. Igave ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Gunratan Sadavarte, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Perused the record. Status quo granted on 12.8.2021 be continued till 23.8.2021. The respondents are directed to file affidavit in reply before the next date.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 23.8.2021.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.572 of 2021</u></p> <p>A.N. Bhagat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Gunratan Sadavarte, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Perused the record. Status quo granted on 12.8.2021 be continued till 23.8.2021. The respondents are directed to file affidavit in reply before the next date.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission' returnable on 23.8.2021.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

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

O.A. No.575 to 579 of 2021

S.A. Panchal	(OA.575/2021)	
R.R. Kolse	(OA.576/2021)	
A.R. Shinde	(OA.577/2021)	
R.B. Lanjekar	(OA.578/2021)	
P.B. Patil	(OA.579/2021)	..Applicants
Vs.		
The State of Maharashtra & Ors.		..Respondents

Heard Shri M.B. Kadam, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO to produce the relevant files on the next date.
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 20.8.2021. Ld. PO waives service of notice.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would 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. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

(Medha Gadgil)
Member (A)
13.8.2021

(sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.563 of 2021</u></p> <p>A.V. Pardeshi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Status quo as of today to be maintained till 17.8.2021.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 17.8.2021. Ld. PO waives notice of service.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (Medhā Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.574 of 2021</u></p> <p>S.B. Kale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO to produce relevant record on the next date.</p> <p>3. S.O. to 17.8.2021. The issue of interim relief is kept open.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.582 of 2021</u></p> <p>R.S. Bhasgi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO to produce relevant record on the next date.</p> <p>3. S.O. to 17.8.2021. The issue of interim relief is kept open.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.585 of 2021</u></p> <p>S.S. Dapke ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO to produce relevant file on the next date.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 17.8.2021. Ld. PO waives service of notice.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.581 of 2021</u></p> <p>A.S. Rege ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO to produce relevant file on the next date.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 17.8.2021. Ld. PO waives service of notice.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

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	<p>Date : 13.08.2021.</p> <p align="center">O.A.No.539 of 2021</p> <p>V.D. PatilApplicant 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. Interim relief stay granted by this Tribunal by order dated 05.08.2021 be continued till next date.</p> <p>3. Adjourned to 17.08.2021.</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="769 793 1031 826">Date : 13.08.2021.</p> <p data-bbox="973 857 1248 891">O.A.No.253 of 2021</p> <p data-bbox="769 917 1411 955">V.A. Patil ...Applicant</p> <p data-bbox="859 955 906 986">Vs.</p> <p data-bbox="769 981 1433 1020">The State of Maharashtra & Ors.Respondents.</p> <p data-bbox="769 1045 1455 1174">1. Heard Mr. R.M. Kolge learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p data-bbox="769 1218 1455 1625">2. Pursuant to the affidavit-in-reply dated 21.07.2021 on filed by Mr. Ramchandra S. Lokhande, Assistant Registrar, office of Co-operative Societies, Ambarnath on behalf of Respondents No.1 & 2 wherein it is submitted proposal on 17.06.2021 to Respondent No.1 whether the Applicant's case can be considered in view of the G.R. dated 21.12.2019 (copy whereof is at page 69 of the O.A.)</p> <p data-bbox="769 1669 1455 1798">3. Respondents No.1 is hereby directed to take decision in the case of the applicant within four weeks. Matter adjourned to 08.09.2021.</p> <p data-bbox="1150 1857 1213 1890">Sd/-</p> <p data-bbox="1052 1952 1345 2017">(Mridula Bhatkar, J.) Chairperson</p> <p data-bbox="758 2050 793 2076">prk</p>

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	<p>Date : 13.08.2021.</p> <p align="center">O.A.No.806 of 2014</p> <p>S.D. Borkar & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Sujit Borkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate tenders vakalatnama. Taken on record.</p> <p>3. At the request of learned Advocate adjourned to 01.10.2021.</p> <p align="right">Sd/-</p> <p align="right">/</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p>O.A.No.513 of 2021</p> <p>S.R. KambleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.B. Kadam, learned Advocate holding for Mr. Gunratan Sadavarte, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant, Police Constable, seeks direction of the transfer of the applicant from inter State Mumbai to Satara in view of the Government Resolution dated 26.10.2017 and so also Respondents to decide the representation of the applicant dated 16.09.2020, 03.11.2020 and 15.12.2020.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 03.09.2021.</p> <p>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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. Adjourned to 03.09.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (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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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 : 13.08.2021.</p> <p align="center">O.A.No.556 of 2021</p> <p>V.S. DhardulApplicant 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. The Applicant seeks pensionary benefits, gratuity and interest.</p> <p>3. The learned C.P.O. informs that pay verification exercise is done by the Pay and Accounts office, Mumbai.</p> <p>4. The learned Counsel seeks permission to make Pay and accounts office, as Party Respondent No.4.</p> <p>5. Permission granted. Amendment be carried out within two weeks.</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 17.09.2021.</p> <p>8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. The Applicant informs that he is ready to deposit the entire amount which is due from him by way of punishment. Accordingly he has given representation on 23.06.2021, the same be decided forthwith.</p> <p>12. Adjourned to 17.09.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">O.A.No.549/2021 with O.A.No.550/2021</p> <p>Mr. S.K. Khade (O.A.No.549/2021) Mr. R.S. Vanjare (O.A.No.550/2021)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicants and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. produces the report of Police Establishment Board (P.E.B.) which was held on 04.08.2021 along with the reports given by the Senior Officer with regard to both the applicants.</p> <p>3. The learned Counsel in both the Original Applications submits that till today both the applicants have not received any show cause notice or memo calling upon them to give explanation about their behavior or any complaint made against them. It is necessary on the part of the Respondent to serve such notice or memo giving them opportunity to explain such complaint or the situation. These are ex-parte decision taken by the authority keeping the applicants in dark about the alleged conduct or alleged misbehavior.</p> <p>4. The learned Counsel submits that only if complaints of private persons or the public are in existence they should be considered. So far as they are not in existence and not made against the applicant the Respondents have no good ground to transfer the applicants when the tenure is not completed and as the Applicants have spent only two years in the Crime Branch.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The learned Counsel relied on the judgment of the Tribunal in O.A.No.689 of 2020 and Ors (Mr. Ajay M. Kharade Versus The State of Maharashtra & Anr. which was decided on 06.08.2021 wherein the transfer of all the Police Officers were quashed and set aside by this Tribunal in the light of the ratio laid down by the Hon'ble Supreme Court in case of <i>Somesh Tiwari Vs. Union of India reported in (2009) 2 SCC 592</i> so also in the order of the Hon'ble High Court in <i>Writ Petition NO.7960 of 2011, Harish Baijal Versus State of Maharashtra.</i></p> <p>6. The learned Counsel submits that these transfers are in absence of any such complaint or any law hence they amount to malice in law. The learned Counsel pointed out paragraph 32 of the order passed by this Tribunal in O.A.No.689 of 2020, wherein it is mentioned that the transfer should not be made on the irrelevant ground.</p> <p>7. The learned P.O. is directed to file affidavit-in-reply in view of the submissions made by the learned Counsel and considering the case law.</p> <p>8. The learned Counsel submits that he wants to have copy of the default report.</p> <p>9. Adjourned to 27.08.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p>O.A.No.514 of 2021</p> <p>M.P. HajareApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.S. Pawar with Mr. S.D. Patil learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned Advocate submits that he has already filed affidavit of service dated 30.07.2021.</p> <p>3. The learned Advocate submits that the applicant, Police Constable submits that as he is eligible and he be sent for the training of PSI. The Applicant has already cleared the Limited Departmental Competitive Examination (LDCE) and is due for training. However the representation made by him dated 28.07.2021 is not yet decided. He submits that as the case is exactly like the case in O.A.No.353 of 2021 (Mr. B.D. Patil & Ors. Versus The State of Maharashtra & Ors.) dated 17.06.2021. therefore, he be send for the training immediately in batch No.121.</p> <p>4. Respondent No.1 Home Department is directed to follow the order of this Tribunal passed in O.A.No.353 of 2021 dated 17.06.2021 so also the order in O.A.No.907/2018, (Mr. S.N. Vasekar & Ors. Versus The State of Maharashtra & Ors dated 28.05.2021 passed in the case of the Police Constable who had cleared LDC Examination in Batch No.121. As the applicant has cleared LDC Examination in 2011 and as the applicant is similarly situation like the applicant in O.A.No.907/2018, Respondent No.1 is hereby directed to pass necessary order within a week, accordingly if he is find eligible as per the orders passed by the Tribunal and he is to be send for the training in Batch 121.</p> <p>5. Matter is disposed off accordingly.</p> <p style="text-align: right;">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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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 : 13.08.2021.</p> <p align="center">O.A.No.430 of 2021</p> <p>C.N. DesaleApplicant 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. The learned P.O. files affidavit-in-reply dated 29.07.2021 on behalf of Respondent No.1, through Mr. Indrabhan M. Kakad, I/c Assistant Director, (MES Class-1 Junior) office of the Joint Director of Vocational Education and Training, Nashik. The same is taken on record. Copy is served to learned Advocate for the Applicant.</p> <p>3. The learned Advocate prays for time to file rejoinder.</p> <p>4. Time granted. Adjourned to 07.09.2021.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p align="center">O.A.No.216 of 2021</p> <p>G.B. JagdaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. files affidavit-in-reply dated 28.06.2021 on behalf of Respondent No.2, through Mr. Arvind G. Jadhav, Deputy Assistant, D.G.P. (Estt.-2) office of the Director General of Police, M.S., Mumbai. The same is taken on record. Copy is served to learned Advocate for the Applicant.</p> <p>3. Admitted and kept for final hearing with liberty to file rejoinder, if any.</p> <p>4. Adjourned to 24.09.2021.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">O.A.No.200 of 2021</p> <p>S. R. Bagde & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri D. Patil , learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 07.09.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p align="center">O.A.No.218 of 2021</p> <p>S. K. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant is present in person and requested for adjournment on the ground that his Advocate is unable to remain present.</p> <p>2. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. On request of Applicant in person, the matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 21.09.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">M.A.No.359 of 2020 in O.A.No.807 of 2020</p> <p>J. R. GundApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. R. Deshpande, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M. A. is filed for condone the delay of 41 days <i>inter-alia</i> contending that Covid-19 and consequent lockdown situation, O.A. could not be filed within law of limitation. 3. Learned P.O. opposes the application for condonation of delay <i>inter-alia</i> contending that delay is not satisfactorily explained. 4. The Tribunal can take note of Covid-19 pandemic situation and consequent lockdown implemented from time to time. 5. Delay is of 41 days which needs to be condoned so as to decide the O.A. on merit. 6. In view of above, in the interest of justice, I am inclined to condone the delay. 7. M.A.359/2020 is accordingly allowed with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">O.A.No.798 of 2020</p> <p>S. G. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. P. Barge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has tendered order dated 12.08.2021 which shows that the Applicant has been reinstated in service.</p> <p>3. Despite reinstatement order dated 12.08.2021, learned Counsel for the Applicant submits that he is challenging the legality of suspension order, and therefore, O.A. be heard on merit.</p> <p>4. On his request, the matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 07.09.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">O.A.No.807 of 2020</p> <p>J. R. Gaud ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. R. Deshpande , learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for grant of deemed date of promotion.</p> <p>3. The delay is condoned as per order passed in M.A.No.359/2020, therefore, this O.A. needs to be decided on merit.</p> <p>4. On request of learned P.O. two weeks time is granted for filing reply in O.A.</p> <p>5. S.O. to 31.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">M.A. No.278 of 2021 in M.A.No.359 of 2020 in O.A.No.807 of 2020</p> <p>J. R. Gund ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. R. Deshpande, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. This M. A. is filed for restoration of M.A.No.359/2020 and O.A. No.807/2020 which was dismissed in default on 16.07.2021. 3. Learned Counsel submits that on 16.07.2021 due to heavy rain in Mumbai City, he could not attend the Tribunal and requested to restore the M.A. and O.A. 4. M.A. for restoration is filed within limitation. 5. O.A. pertains to deem date of promotion. It is filed along with application for condonation of delay. 6. In the interest of justice, M.A. 359/2020 and O.A.807/2020 is restored. 7. Accordingly, M.A. No.278/2021 is disposed of with no order as to costs. <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 13.08.2021</p> <p align="center">O.A. No.600 of 2017</p> <p>S.G. DhanawadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has claimed Deemed Date of Promotion on the post Range Forest Officer (R.F.O.) w.e.f. 25.10.2011, since there was no response to his representations. During the pendency of O.A. direction were given to consider the representation made by the Applicant.</p> <p>3. In pursuance of above, Government by order dated 28.01.2021 communicated that the Applicant is promoted from NT(B) category, in view of decision of Hon'ble High Court dated 04.08.2017, whereby promotion on the basis of reservation is quashed, the Applicant is not entitled to the Deemed Date of Promotion. Thus communication dated 28.01.2021 is also challenged by the Applicant by way of amendment.</p> <p>4. During the course of hearing learned Advocate for the Applicant has pointed out that the Applicant was promoted to the post of R.F.O. by order dated 27.05.2016 from open category and not from reserved category.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. As such it is obvious that by order dated 27.05.2016 issued by Department, Conservator of Forest the Applicant is shown promoted from open category. If this is the position the issue of reservation may not come in the way of the Applicant, for claiming Deemed Date of Promotion.</p> <p>6. Thus it appear that without examining the paper and without noticing that the Applicant is promoted from open category Respondent No.1 by communication dated 28.01.2021 rejected the claim of the Applicant. <i>Prima-facie</i> it shows non-application of mind.</p> <p>7. In view of above, Respondent No.1 is directed to file Affidavit and to explain that when the Applicant is promoted from open category, how Department applied theory of reservation in promotion in communication dated 28.01.2021. One week time is granted for filing Affidavit. Affidavit be filed within one week from today.</p> <p>8. Steno copy granted.</p> <p>9. S.O. to 20.08.2021.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p style="text-align: center;">O.A.No.366 of 2020</p> <p>R. V. Solankhe ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. Since pleading is complete, O.A.is admitted for final hearing.</p> <p>3. S.O. to 23.09.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 13.08.2021</p> <p align="center">O.A. No.497 of 2020</p> <p>H.P. WaghelaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.L. Rathod, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On previous date amendment Application was allowed and accordingly the Applicant has carried out amendment and challenged communication dated 30.10.2018. Today matter is kept for filing Reply.</p> <p>3. Learned P.O. requested for grant of time to file Reply, last chance is granted for filing Reply to the amendment made in O.A.</p> <p>4. S.O. to 27.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 13.08.2021</p> <p align="center">O.A. No.449 of 2021</p> <p>P.R. KhedekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. tendered Affidavit-in-Reply on behalf of the Respondents. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 31.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 13.08.2021</p> <p align="center">O.A. No.410 of 2021</p> <p>S.T. ZawareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. 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. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 31.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 13.08.2021</p> <p align="center">O.A. No.323 of 2021</p> <p>D.G. VasgadekarApplicant 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. Learned P.O. submits that Affidavit-in-Reply will be filed during the course of the day. Statement is accepted. It be taken on record. 3. Copy of Reply be served on other side. 4. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder. 5. S.O. to 31.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 13.08.2021</p> <p align="center">O.A. No.289 of 2021</p> <p>S.R. GavandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 23.09.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p align="center">O.A.No.518 of 2020</p> <p>A. V. BhiseApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Learned P.O. has filed Affidavit in Sur-Rejoinder on behalf of the Respondent No.2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 23.08.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 13.08.2021</p> <p align="center">O.A. No.209 of 2021</p> <p>D.K. DokeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.R. Joshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged communication dated 03.02.2021 for recovery of Rs.3,31,819/-.</p> <p>3. The Applicant stands retired on 31.03.2021 from the post of Canal Inspector Group 'C' and seeks interim relief against the recovery.</p> <p>4. <i>Prima-facie</i> recovery of the excess payment wrongly made to the Applicant is not permissible after retirement, in view of the judgment passed by Hon'ble Supreme Court in (2015) 4 SCC 334 (State of Punjab and others Vs. Rafiq Masih (White Washer) dated 18.12.2014.</p> <p>5. I am therefore inclined to grant interim relief stay in terms of prayer clause 10 (b) of O.A.</p> <p>6. Issue notice before admission returnable on 07.09.2021.</p> <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p 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

8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

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

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

12. S.O. to 07.09.2021.

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

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

**MISC. APPLICATION NO.139 OF 2021
IN
ORIGINAL APPLICATION NO.1120 OF 2018**

Smt. Swati K. Jogdand.)...Applicant
(Ori. Respondent No.4)

Versus

1. Smt. Savita N. Salve.)...Respondent
(Ori. Applicant)
2. The Secretary, MPSC.)...Respondent No.1
3. The State of Maharashtra.)
Through Addl. Chief Secretary,)
Home Dept., Mantralaya, Mumbai.)...Respondent No.2
4. The State of Maharashtra.)
Through Addl. Chief Secretary,)
G.A.D, Mantralaya, Mumbai.)...Respondent No.3

Mr. Arvind V. Bandiwadekar, Advocate for Applicant.

Ms. S.P. Manchekar, Presenting Officer for Respondents 1 to 3.

Mr. S.S. Dere, Advocate for Respondent (Ori. Applicant).

**CORAM : SHRI A.P. KURHEKAR, MEMBER-J
SMT. MEDHA GADGIL, MEMBER-A**

DATE : 13.08.2021

PER : SHRI A.P. KURHEKAR, MEMBER-J

Arvind V. Bandiwadekar

ORDER

1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondent Nos. 1 to 3 and Shri S.S. Dere, learned Advocate for Respondent (Ori. Applicant).
2. This Misc. Application is filed in O.A.No.1120/2018 which is decided today by separate order passed therein and O.A. is dismissed.
3. In so far as this M.A. is concerned, it is filed by Respondent No.4 to modify/vacate the directions given by the Tribunal in Para No.11 of order dated 18.02.2019 and consequently direct the Respondents to release pay and allowances of Respondent No.4.
4. O.A. has been filed by Applicant challenging the appointment of Respondent No.4 and further direction to appoint her in place of Respondent No.4 in view of her dismissal from service during the pendency of O.A.
5. In so far as M.A. is concerned, it is filed for modification of order dated 18.02.2019 passed in O.A.1120/2018 by the Tribunal. The Respondent No.4 is aggrieved by Para Nos.11 and 12 of the order dated 18.02.2019, which is as follows :-
 - “**11.** In the background that Respondent No.4 has failed to appear despite notice served on 31.12.2018, Respondent No.2 is restrained from disbursing salary of Respondent No.4 and Respondent No.4 is restrained from drawing salary even if credited in her account payable/receivable from 1.3.2019 with notice to show cause as to why this order shall not made absolute. Respondent No.2 shall ensure that the direction and injunction ordered against Respondent No.2 and Respondent No.4 is duly enforced with all seriousness.
 - 12.** Notice of show cause and as to interim direction and injunction ordered in foregoing paragraph shall be returnable on 13.3.2019.”

6. As such, the above order was passed at initial stage and today, the Tribunal on merit dismissed the O.A. It is because of order dated 18.02.2019, the pay and allowances of Respondent No.4 are not paid. It is obvious from Para No.11 that the said order was passed since Respondent No.4 has failed to appear despite service of notice of O.A. Later, Respondent No.4 appeared in O.A. and contested the matter, which is ultimately culminated into dismissal of O.A. At the same time, in view of subsequent development taken place during the pendency of O.A, the Respondent No.4 has been dismissed from service by order dated 26.04.2021. As such, in view of adjudication of O.A. on merit, the order passed on 18.02.2019 restraining Respondent No.2 from disbursing salary of Respondent No.4 needs to be vacated.

7. The Respondent Nos.2 and 3 are at liberty to release pay and allowances of the Applicant as per her entitlement in law, if there is no any other legal impediment to release the same.

8. In view of above, the Respondent Nos.2 and 3 are directed to pass appropriate order about pay and allowances of Respondent No.4 within a month from today.

9. The M.A. is accordingly disposed of with no order as to costs.

Sd/-

(MEDHA GADGIL)
Member-A

Sd/-

(A.P. KURHEKAR)
Member-J

skw

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 13.08.2021</p> <p align="center">M. A. No.284 of 2021 in O.A.No.327 of 2016</p> <p>M. M. Kathe & Ors.Applicants</p> <p align="center">Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In pending O.A. which pertains to seniority, the Applicants have filed this M.A. for joining Respondent Nos.3 to 495 police personnel as a co-respondents <i>inter-alia</i> contending that they are likely to be effected. Therefore, necessary parties.</p> <p>3. Initially, the O.A. is filed against the Government and Director General of Police.</p> <p>4. On request of learned P.O., two weeks time is granted for filing reply to M.A.</p> <p>5. S.O. to 25.08.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p>O.A.No.710 of 2016</p> <p>A. C. SonawaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V. P. Potbhare, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has carried out certain amendments to O.A. but no reply is filed to the amendment. 3. Learned P.O. requested for grant of time to file reply to the amendment made in O.A.. 4. Two weeks time is granted to file reply as a last chance. 5. S.O. to 25.08.2021. <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.08.2020</u></p> <p align="center"><u>C.A 5/2021 in T.A 1/2020</u></p> <p>Smt K.C Pawar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O prays for three weeks' time. Time granted.</p> <p>3. S.O to 3.9.2021.</p> <p align="right">Sd/- (Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</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 : 13.08.2021</p> <p align="center">O.A.No. 794 of 2016</p> <p>Dr. S. R. ChinchkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri S. B. Gaikwad, learned Counsel for the Applicant has sent a leave note.</p> <p>2. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. In view of leave note of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>4. S.O. to 05.09.2021.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (A.P. Kurhekar) Member (A) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p align="center">O.A.No.704 of 2020</p> <p>K. M. PatoleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Chief Presenting Officer for the Respondents. 2. Today, learned P.O. filed reply on behalf of the Respondents. It is taken on record. 3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder. 4. S.O. to 31.08.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">M. A. No.181 of 2020 in R.A. No.08 of 2020 in O.A.No. 399 of 2018</p> <p>P. V. KorpaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. Awasarmol, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. M.A. for condonation of delay is opposed by learned P.O. relying upon the decision of this Tribunal Bench Nagpur wherein it has been held that the provisions of Limitation Act would not apply for review unless it is made applicable expressly.</p> <p>3. Nagpur Bench dealt with certain judgments on the point of applicability of provisions of Limitation Act to review and ultimately hold M.A. is not maintainable.</p> <p>4. Learned Counsel for the Applicant requested for grant of time to cite the decisions to substantiate that the provisions of Limitation Act are applicable for filing review.</p> <p>5. S.O. to 07.09.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021.</p> <p align="center">M.A. No.160 of 2021 in O.A.No.313 of 2021</p> <p>P. S GhareApplicant</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. Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply in M.A. It is taken on record. 3. The matter is adjourned for hearing. 4. S.O. to 03.09.2021. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">R. A No.07 of 2021 in O.A.No.1125 of 2019</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>S. V. Lolge & Ors. ...Respondents (Ori. Applicants)</p> <p>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents) and Shri R. M. Kolge, learned Counsel for the Respondents (Ori. Applicants).</p> <p>2. Learned P.O. for Ori. Respondents submits that reply in R.A. will be filed during the course of the day. It be taken on record.</p> <p>3. S.O. to 31.08.2021 for hearing.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p align="center">O.A.No.136 of 2020</p> <p>H. V. BhatApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. The Applicant has filed precipe for disposal of O.A. since the Applicant is retired from service</p> <p>2. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. O.A has been filed for transfer on the establishment of Commissioner of Police, Pune. However, during the pendency of O.A., the Applicant stands retired. As such, O.A. has become infructuous.</p> <p>4. In view of above, O.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- vv (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2021</p> <p>R. A. No.04/2021 in O.A.No.323/2019 with R.A.No.05/2021 in O.A. No.321/2019 with R.A. No.06/2021 in O.A.No.322/2019</p> <p>A. T. Rajam & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply in R.A. will be filed during the course of the day. It be taken on record.</p> <p>3. S.O. to 31.08.2021 for hearing.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.08.2020</u></p> <p align="center"><u>M.A 661/2019 in O.A 1060/2019</u></p> <p>Shri S.J Mate & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Smt Jayshree Patil, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned C.P.O for the Respondents.</p> <p>2. Learned P.O submits that the Original Application is filed by 8 applicants by Dr. Gunratan Sadavarte, learned counsel for the applicants has filed this Misc Application to add 7 more applicants to intervene in this Original Application.</p> <p>3. As the original applicants' learned counsel and the learned counsel for the applicants-intervenors is one and the same, Misc Application to add the applicants as party in the Original Application is allowed.</p> <p>4. Learned counsel for the applicants is directed to carry out the amendment within one week and serve copy of the amended O.A on the Respondents within one week thereafter.</p> <p align="right">Sd/- / (Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</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><u>13.08.2020</u></p> <p align="center"><u>O.A 311/2021</u></p> <p>Shri M.D Bandgar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Dr Gunratan Sadavarte with Mrs Jayshree Patil , learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Dr Gunratan Sadavarte, learned counsel for the applicant submits that as per instructions from the applicants, as of today 74 posts of Executive Engineers, P.W.D in State of Maharashtra is vacant. The applicants though taking advantage of the reservation are otherwise entitled to get promoted in the process of general promotion.</p> <p>3. Learned C.P.O seeks time to take instructions in the matter.</p> <p>4. S.O to 3.9.2021.</p> <p align="right">Sd/- (Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>13.08.2020</u></p> <p style="text-align: center;"><u>C.A 30/2020 in O.A 697/2019</u></p> <p>Shri V.G Suryawanshi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply of Kishor Rambhau Tawarje, Deputy Director, Land Records, Pune Region, Pune, dated 12.8.2021. Same is taken on record along with documents, i.e. order dated 2.8.2021 passed by Deputy Director, Land Records, Pune.</p> <p>3. Learned P.O submits that the Respondents have implemented the orders of this Tribunal dated 18.11.2019 in Original Application no. 697/2018 and 22.10.2020 in R.A 4/2020. Though the W.P 1828/2021, challenging the order of this Tribunal is pending before the Hon'ble Bombay High Court, the applicant is sent back to his earlier post from Jat to Sangli. Learned P.O produces copy of joining report of the applicant at Sangli.</p> <p>4. In view of the above, nothing remains in the Contempt Application and the same stands disposed of.</p> <p style="text-align: right; margin-right: 20px;">Sd/- / (Mridula R. Bhatkar J.) Chairperson</p> <p style="text-align: left; margin-left: 20px;">Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>13.08.2020</u></p> <p align="center"><u>C.A 25/2020 in O.A 28/2018 with O.A 938/2018</u></p> <p>Shri D.L Awate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O informs that the Review Application is heard and she needs time to take instructions in the matter.</p> <p>3. S.O to 27.8.2021.</p> <p align="right">Sd/- (Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.08.2020</u></p> <p style="text-align: center;"><u>O.A 551/2021</u></p> <p>Shri C.J Gudewar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri Ajay S. Deshpande, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents. 2. The applicant, Addl. Chief Executive Officer, Z.P, Sangli, seeks directions to the Respondents that the applicant be promoted to the cadre of Selection Grade Additional Chief Executive Officer, irrespective of the availability of the C.Rs of the year 2015-16 and 2019-20. He further prays that he be granted deemed date of promotion to the cadre of Selection Grade Addl. Chief Executive Officer from the date when his juniors were promoted to the same cadre i.e. from 6.6.2019 along consequential pecuniary benefits. 3. By way of interim relief the applicant prays that the Respondents not to take further decision on the basis of the meeting of the Establishment Board held on 29.7.2021. 4. Learned counsel for the applicant produces service report. Same is taken on record. 5. Learned C.P.O seeks time to take instructions in the matter. 6. Issue notice made returnable on 2.9.2021. 7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 9. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice. 10. S.O to 2.9.2021. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/</p> <p style="text-align: right;">(Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.08.2020</u></p> <p style="text-align: center;"><u>O.A 346/2021</u></p> <p>Smt V.V Daingade ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Abhay A. Jadhavar i/b Sachin K. Hande, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant, Assistant Section Officer, working in the Department of Industry, Energy and Labour seeks first promotion to the post of Section Officer in the year 2006 and second promotion as Under Secretary in the year 2015 on the basis of officiating seniority. He prays that the Respondents be directed to assign deemed date of 1st promotion and second promotion and the pecuniary benefits from the date of their promotion due date of seniority.</p> <p>3. On query, learned C.P.O raised objections that the application is beyond limitation as the applicant seeks first promotion in the year 2006 and second promotion in the year 2015.</p> <p>4. Learned counsel for the applicant is directed to file Misc Application seeking condonation of delay in filing the present O.A.</p> <p>5. S.O to 8.9.2021.</p> <p style="text-align: right;">Sd/- (Mridula R. Bhatkar J.) Chairperson</p> <p>Akn</p>

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	<p>Date : 13.08.2021.</p> <p>O.A.No.1096 of 2019</p> <p>P.D. ChavanApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. As affidavit-in-reply is already filed, matter is admitted and taken up for final hearing.</p> <p>3. Adjourned to 12.10.2021.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 13.08.2021.</p> <p align="center">O.A.No.60 of 2021</p> <p>V.T. Surve & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Vidya Kamble, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicants are seeking pecuniary benefits from 2003 to 2008. The Original Application is filed on 19.01.2021, hence it is necessary for the applicant to file Miscellaneous Application for condonation of delay. Though the representations were made by the applicants after 2017 to the Department yet it is necessary to file application for condonation of delay.</p> <p>3. The learned Advocate seeks four weeks time to file application for condonation of delay as the applicants are staying at Chiplun.</p> <p>4. Time granted. Adjourned to 08.09.2021.</p> <p align="right">Sd/- _____ / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 : 13.08.2021.</p> <p style="text-align: center;">M.A.No.247 of 2021 in O.A.No.220 of 2020</p> <p>D.M. Taware & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned Counsel produces affidavit of service serving the office of C.P.O. She seeks time to file affidavit of service in respect of other Respondents.</p> <p>3. Matter adjourned to 03.09.2021.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</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 : 13.08.2021.</p> <p>O.A.No.606 of 2019</p> <p>D.K. LandgeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Amar Bodre, learned Advocate holding for Mr. M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. As affidavit-in-reply is already filed, matter is admitted and taken up for final hearing.</p> <p>3. Adjourned to 16.11.2021.</p> <p style="text-align: right;">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 style="text-align: center;"><u>O.A. No.580 of 2021</u> ,</p> <p>Smt. Vaishali S. Mali ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.R. Ghanavat with Shri M.M. Kale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 16.9.2021.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

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	<p style="text-align: right;"><u>O.A. No.767 of 2019</u> ,</p> <p>G.B. Kamalkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate both absent. Heard Smt. Archana B.K. learned Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. PO adjourned to 3.9.2021.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.265 of 2021</u></p> <p>A.B. Nyaynit , ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Applicant in person and Smt. Archana B.K.. learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks two weeks time to file reply.</p> <p>3. S.O. to 31.8.2021 by way of last chance. Respondents to serve copy of affidavit in reply in advance to the Applicant in person before the next date.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 13.8.2021</p> <p>(sgj)</p>