

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.08.2024</p> <p style="text-align: center;">O.A. No.1245 of 2023</p> <p>Dr. V.B. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate holding for Ms. S. Tilak, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant stresses on the point that as per information provided on earlier occasions; the proposal for cancellation of 'Transfer Orders' dated 30.06.2023 of Applicant who is now serving on post of 'Assistant Professor (Obstetrics and Gynecology), B.J. Medical College, Pune' is still under consideration of next 'Superior Transferring Authority'.</p> <p>3. Learned PO on query states that proposal for cancellation of 'Transfer Orders' dated 30.06.2023 of Applicant was submitted by 'Principal Secretary, Medical Education and Drugs Department'; however it has yet not been approved by next 'Superior Transferring Authority' being 'Mid Term and Mid Tenure' transfer under the 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'.</p> <p>4. The proposal for cancellation of 'Transfer Orders' dated 30.06.2023 of Applicant is pending for final approval of next 'Superior Transferring Authority' for more than 3 months; after recommendations made</p>

Office Notes, Office Memoranda of Coram,
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by 'Principal Secretary, Medical Education and Drugs Department' and 'Competent Transferring Authority'. So; 'Principal Secretary, Medical Education and Drugs Department' to ascertain its present status and take initiative to obtain final approval of next 'Superior Transferring Authority' within 'One Week'.

5. The fresh 'Transfer Order' of Applicant to vacant post of 'Assistant Professor Obstetrics and Gynecology, Government Medical College, Miraj' be issued thereafter within 'One Week' by 'Medical Education Drugs Department'.

6. 'Interim Relief' to continue till 'Next Date'.

7. S.O. to 23.08.2024

Sd/-
(Debashish Chakrabarty)
Member (A)

AGR

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

Tribunal's orders

Date : 13.08.2024

O.A.No.955/2024 (S.B.)

C.K. Pawar .Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents

2. Applicant prays for directions to be issued to Respondents to implement transfer order dated 31.07.2024 qua the Applicant and allow the Applicant to work on the post of Naib Tahasildar at Sand Mining Branch, District Collector Office, Palghar.

3. Learned Counsel has submitted that by order dated 01.08.2024 the District Collector has implemented the said request. He therefore, prays that O.A. can be disposed of.

4. In view that the grievance of the applicant is redressed, O.A. stands disposed of.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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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: 13.08.2024</p> <p align="center">O.A. No.615 of 2024</p> <p>D.G. PilankarApplicant 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. Learned P.O. refers to letter written on behalf of 'Chief Conservator of Forest (Territorial), Kolhapur' on 31.07.2024 wherein it is stated that representation submitted by Applicant on 12.04.2024 to 'Deputy Conservator of Forest, Sawantwadi Forestry Division, District Sindhudurg' cannot be considered as request of Applicant based on '4 Options' was granted during 'General Transfer: 2023'. The Applicant was accordingly transferred based on '4 Options' to post of 'Forester' in 'Social Forestry Division, Ratnagiri'. 3. Learned Advocate for Applicant insists that it has now become imperative that 'Chief Conservator of Forest (Territorial), Kolhapur' reconsider request made afresh by Applicant with an 'Open Mind' as not only is post at 'Sr. No.3' out of '4 Options' which is 'Forester' at 'Nerur' in 'Sawantwadi Forest Division' is still available, but primarily because Applicant seeks implementation of 'Policy Guidelines' of 'Husband & Wife' to be posted together as per GAD G.R. dated 09.04.2018 since 'Wife' of Applicant continues to serve as 'Head Clerk' under 'Cooperation Officer Grade - II' in the office of 'District Dairy Development Officer; Sindhudurg' due to non-consideration of her request for transfer to 'Ratnagiri

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>District' during 'General Transfer : 2023' after Applicant had been transferred to post of 'Forester' in 'Social Forestry Division, Ratnagiri' on 25.05.2023.</p> <p>4. The 'Chief Conservator of Forest (Territorial), Kolhapur' has no doubt taken fair decision about representation of Applicant dated 12.04.2024 as been communicated by letter on 31.07.2024. Nonetheless, as request of Applicant still falls within scope of 'Policy Guidelines' relating to 'Husband & Wife' to be posted together as per G.A.D. G.R. dated 09.04.2018; the 'Chief Conservator of Forest (Territorial), Kolhapur' is informed to review the decision communicated by letter on 31.07.2024 with an 'Open Mind' from limited perspective of implementation of 'Policy Guidelines' relating to 'Husband & Wife' to be posted together as per G.A.D. G.R. dated 09.04.2018.</p> <p>5. S.O. to 27.08.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.08.2024</p> <p>O.A. No.1488 of 2023</p> <p>S.B. KalewadApplicant 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 Shri A.J. Chougule, learned Presenting Officer for the Respondents.2. Learned Advocate for Applicant states that Applicant though transferred on request to post of 'Special Deputy Superintendent of Land Records and Enquiry Officer, Mira-Bhayandar, District Thane' is not in position to take charge due to physical constraints relating to 'Locomotive Disability to extent of 48%' as it is located on 'Third Floor' of 'Office Building' which has no 'Lifts'.3. Learned Advocate for Applicant states that his request to be posted as 'Deputy Superintendent of Land Records; Shahapur, District Thane' was not accepted and other officer has been posted there on 31.07.2024. Thus; 'Government Order dated 24.07.2024' of 'Revenue and Forest Department' be modified / changed as per original request in representation dated 16.12.2022 and Applicant be posted on vacant post of 'Deputy Superintendent of Land Records at Loha, District Nanded'.4. The 'Additional Chief Secretary' of 'Revenue and Forest Department' is accordingly informed to modify the 'Government Order dated 24.07.2024' of Applicant on the grounds of 'Reasonable Accommodation' under

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the provisions of 'Section 2(y)' and 'Section 20(2)' of 'The Rights of Persons with Disabilities Act, 2016'. The Applicant be transferred to 'Vacant Post' of 'Deputy Superintendent of Land Records; Loha, District Nanded' as he stands exempted under 'Rule 7' of 'The Maharashtra Government Allotment of Revenue Divisions for appointment by nomination and promotion to the posts in Group A and Group B (Gazetted and Non-Gazetted) Rules, 2021'.

5. S.O. to 02.09.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

NMN

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	<p align="center"><u>O.A. No.34 of 2024</u></p> <p>N.V. Salgar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 27.8.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</p>

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	<p align="center"><u>O.A. No.47 of 2024</u></p> <p>Dr. A.D. Rathod & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.A. Desai, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 27.8.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</p>

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	<p align="center"><u>O.A. No.196 of 2024</u></p> <p>F.M. Mulla ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.G. Panchal, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 17.9.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</p>

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	<p align="center"><u>O.A. No.443 of 2024</u></p> <p>S.M. Bhujbal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 27.8.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</p>

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versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.08.2024</p> <p>O.A. No.317 of 2024</p> <p>S.R. TengaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. S.O. to 16.08.2024</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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: 13.08.2024</p> <p>O.A. No.501 of 2024</p> <p>P.S. MadaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Gaiwad, learned Advocate for Applicant through 'Video Conference' and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned PO seeks 'Three Weeks' time to file 'Affidavit-in-Reply' by way of last chance.</p> <p>3. S.O. to 02.09.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.08.2024</p> <p>O.A. No.488 of 2024</p> <p>P.V. ThokalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Pooja Mankoji holding for Shri D.B. Khaire, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant seeks 'One Week' time to file 'Affidavit-in-Rejoinder'. Time as prayed for is granted.</p> <p>3. S.O. to 23.08.2024</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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..... Applicant/s

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.08.2024</p> <p>O.A. No.335 of 2024</p> <p>A.S. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri G.A. Bandiwadekar, learned Advocate for Respondent No.4.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 22.08.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.08.2024</p> <p>O.A. No.393 of 2024</p> <p>C.U. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 03.09.2024. Admit and kept for 'Final Hearing.'</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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..... Applicant/s

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.08.2024</p> <p>O.A. No.94 of 2024</p> <p>S.S. GangurdeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant seeks time to file 'Affidavit-in-Rejoinder'. Time as prayed for is granted.</p> <p>3. S.O. to 28.08.2024</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

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	<p>Date: 13.08.2024</p> <p>O.A. No.825 of 2023</p> <p>S.M. Sarangdhar & Ors.,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 Smt. Archana B.K., learned Presenting Officer for the Respondents.2. 'Interim Relief' to continue till 'Next Date'.3. S.O. to 02.09.2024. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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

Date : 13.08.2024

O.A.No.679/2021

A.P. KamalkarApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

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

2. O.A. though adjourned to 26.09.2024 taken on board at the request of learned Counsel.

3. At the request of learned Counsel O.A. is preponed and adjourned to 30.08.2024.

SD/-

(Debashish Chakrabarty)
Member (A)

SD/-

(Mridula Bhatkar, J.)
Chairperson

prk

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	<p><u>13.08.2024</u></p> <p><u>O.A 840, 915, 758/2017 with M.A 290/2018 with O.A 759/2017 with M.A 287/2018 with O.A 799/2017 with M.A 1067/2017 with MA 487/2017</u></p> <p>P.V Patil Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri G.D Kurane and Ms Savita Suryavanshi, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O seeks time to file reply to the amended O.A.</p> <p>3. S.O to 3.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>13.08.2024</u></p> <p align="center"><u>O.A 385/2022</u></p> <p>S.K Hankare & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants, Shri A.J Chougule, learned P.O for the Respondents No 1 to 3 and Shri C.T Chandratre, learned counsel for Respondents No. 4 to 9.</p> <p>2. By consent adjourned to 21.8.2024. Interim relief, if any to continue.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>13.08.2024</u></p> <p align="center"><u>O.A 245/2021</u></p> <p>J.S Sathe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents. 2. Learned P.O files counter affidavit in reply showing how the vacancies claimed by the applicant are not available. 3. Learned counsel for the applicant seeks time. 4. S.O to 16.8.2024. <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;"><u>13.08.2024</u></p> <p style="text-align: center;"><u>O.A 502/2024</u></p> <p>Smt Bhagyashri S. Dusane ... Applicant Vs. 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 P.O for the Respondents.</p> <p>2. The applicant prays that the impugned order dated 13.3.2024 issued by the Respondent inter alia request of the applicant to end the probation period was rejected and to direct the Respondent to pass the order to end the probation period of the applicant w.e.f 8.12.2021. Further the Respondents be directed to promote the applicant to the post of Assistant Director, Town Planning (Degree Holder) Group-A Gazetted with all consequential service benefits.</p> <p>3. Learned counsel submitted that the applicant is acquitted by the Learned Chief Judicial Magistrate, Nasik by order dated 5.8.2024 in Criminal Case No. 1040/2020. Learned counsel submitted that in view of the acquittal in the criminal case, the Respondents to end the probation period of the applicant. Learned counsel for the applicant further submits that the applicant has submitted representation on 8.8.2024 along with the copy of the order dated 5.8.2024 of acquittal passed by the Learned Chief Judicial Magistrate, Nasik.</p> <p>4. Learned P.O submits that if the applicant submits representation enclosing the copy of the order of acquittal dated 5.8.2024 passed by the Learned Chief Judicial Magistrate, Nasik, to the Respondents, necessary action will be taken.</p> <p>5. Considered the submissions of the learned counsel for the applicant and the learned P.O. Unless the probation period is cleared, nobody can be considered for promotion. Therefore, no directions can be given by this Tribunal to the Respondents to consider the case of the applicant for promotion to the post of Assistant Director, Town Planning (Degree Holder) Group-A Gazetted. However, the first prayer of the applicant can be considered regarding completion of the probation period.</p> <p>6. Accordingly we pass the following order:-</p> <p>(a) The Original Application is partly allowed.</p>

[PTO.]

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	<p>(b) We direct the Respondents to consider the representation dated 8.8.2024 submitted by the applicant along with copy of the order dated 5.8.2024 passed by the Chief Judicial Magistrate acquitting the applicant in the criminal case with regard to completion of the probation period.</p> <p>(c) The Respondents are directed to take decision on the representation before 26.8.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) Akn</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.953 of 2024</u></p> <p>A.G. Shetye ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Dileep Satale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, 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 27.8.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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.967 of 2024</u></p> <p>Dr. P.B. Deshpande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. 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 27.8.2024. The respondents are directed to file reply. At this stage no interim relief can be granted because order dated 19.4.2024 is challenged.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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>C.A. No.48 of 2024 in O.A. No.837 of 2022</u></p> <p>Dr. V. Salunkhe @ Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant tenders a copy of order dated 12.8.2024 along with revised list of candidates eligible for recommendation in which the name of the applicant appears at Sr. No.7.</p> <p>3. In view of the above, the order dated 22.2.2024 passed in the above OA is complied with. Hence, the CA is disposed off.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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>R.A. No.4 of 2024 in O.A. No.842 of 2017</u></p> <p>The Dy. Conservator of Forest ..Applicant Vs. B.A. Dane & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants-original Respondents and Shri C.T. Chandratre, learned Advocate for the Respondent-original Applicant.</p> <p>2. Ld. Advocate for the respondent-original applicant seeks time.</p> <p>3. S.O. to 3.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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>MA.704/2023 in MA.340/2023 in OA.1072/2022</u></p> <p>S.G. Ramugade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Ld. Advocate for the applicant is absent.</p> <p>2. Ld. PO seeks time for filing reply.</p> <p>3. S.O. to 3.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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>M.A. No.354 of 2024 in O.A. No.104 of 2024 (DB)</u></p> <p>M.R. Navale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Ld. Advocate for the applicant is absent.</p> <p>2. S.O. to 3.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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>C.A.55 of 2024 in OAs.758/2019 & 404/2022</u></p> <p>R.B. Bhosale & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. Ld. Advocate for the Applicants is absent.</p> <p>2. Shri Santosh J. Kale, Desk Officer, Revenue & Forest Department and Ms. Asha Bhong, Divisional Forest Officer are present in the Court.</p> <p>3. Ld. PO on instructions states that order of the Tribunal is going to be implemented.</p> <p>4. S.O. to 20.8.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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>M.A. No.473 of 2024 in O.A. No.865 of 2024</u></p> <p>M.B. Deshmukh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By this MA the applicant prays for interim relief.</p> <p>3. Departmental Enquiry not to proceed.</p> <p>4. MA disposed off.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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>MA.387/2024 in OA.587/2024</u> <u>MA.388/2024 in OA.444/2024</u> <u>MA.389/2024 in OA.440/2024</u> <u>MA.390/2024 in OA.426/2024</u> </p> <p> K.B. Pathade & Ors. ..Interveners And A.S. Chaudhari A.M. Warule S.A. Patil L.A. Dandge ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents </p> <p> Heard Shri S.B. Thorat, learned Advocate for the Interveners, Shri V.A. Nagrani, Shri S.S. Dere, Shri S.N. Biradar & Shri C.T. Chandratre, learned Advocate for the Applicants respectively and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri K.R. Jagdale, learned Advocate for MPSC-Respondent No.1 at Sr. No.1,3 & 4. </p> <p style="text-align: center;"> <u>MA.451/2024 in OA.444/2024</u> </p> <p> R.S. Mahamune ..Intervener And A.M. Warule ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents </p> <p> Heard Smt. Punam Mahajan, learned Advocate for the Intervener, Shri S.S. Dere, learned Advocate for Applicant and and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. </p> <p> 2. Ld. PO files reply. Ld. PO submits that experience of the applicants is not considered as field work and hence they are held ineligible. </p> <p> 3. Ld. Advocate for the applicants submits that they have appeared for the examination and the results are not declared and they pray that results be declared. Ld. Advocate for the Interveners prays that the results are to be declared. </p> <p> 4. We make it clear that interveners cannot seek any relief in the OAs of the applicants. </p> <p> 5. S.O. to 27.8.2024 </p> <p style="text-align: center;"> Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj) </p> <p style="text-align: center;"> Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024 </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.937 of 2024</u></p> <p>Sharwari A. Sangwai ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. The applicant prays that clause 5 of the GR dated 4.5.2023 be declared as unconstitutional to the extent of advertisement no.83/2021 and the applicant be given the benefit of GR. She be considered from Female Open Category by exempting the applicant from producing Non-Creamy Layer Certificate and her name be included in the merit list dated 20.3.2024 by revising the merit list.</p> <p>3. Ld. Advocate for the applicant states that applicant is similarly situated and covered by the ratio of judgment of the Tribunal dated 10.5.2024 and 12.7.2024 in OA No.932/2023 & 1139/2023. She also refers to order dated 18.7.2024 passed in OAs.563 & 564/2024.</p> <p>4. Learned C.P.O concedes to the submissions made by the learned counsel for the Applicants on the point that the applicant is covered by the decisions of the Tribunal dated 10.5.2024 & 12.7.2024 in O.A 932/2023 and O.A 1139/2023.</p> <p>5. In view of the above we pass the following order.</p> <p style="text-align: center;">ORDER</p> <p>(a) The Original Application is allowed, as the cut-off date mentioned in G.R. dated 4.5.2023 is held illegal and unconstitutional.</p> <p>(b) The benefit is to be extended to the applicant and her candidature should not be rejected on the ground of non-production of N.C.L Certificate.</p> <p>(c) The Respondents to consider her candidature and prepare and revise the Provisional Select List and thereafter the recruitment process to continue.</p> <p>(d) OA disposed off accordingly.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 13.8.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 13.8.2024</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
	<u>O.A. No.913/2024</u>
	H.D. Kumbhar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents
	<u>MA.481/2024 in OA.914/2024</u>
	G.B. Dhakane ..Intervener And R.D. Dahiphale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents
	<u>MA.495/2024 & 496/2024 in OA.910/2024</u>
	V.B. Jamble ..Intervener And N.B. Sanap ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents
	<u>O.As. No.911 & 976/2024</u>
	H.S. Rewaskar ..Applicants P.M. Darade ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents
	<p>Heard Shri K.R. Jagdale, learned Advocate for Intervener in MA.481/2024, MA.495 & 496/2024, Shri O.M. Lonar, learned Advocate for the Applicant in OA No.913 & 914/2024, Shri S.S. Dere, learned Advocate for Applicants in OAs.910 & 911/2024, Shri U.V. Bhosle, learned Advocate for Applicant in OA.976/2024 and Smt. K.S. Gaikwad, learned Presenting Office for the Respondents.</p> <p>2. MA No.481/2024 & MA.495/2024 are for intervention and MA No.496/2024 is for vacating stay. OAs are filed for appointment to the post of Deputy Director, Industrial Safety & Health, Group-A. Interveners are also candidates who have appeared for the said post. Ld. Advocate for Interveners state that in OA No.910/2024 applicant is at Sr. No.3 and intervener is at Sr. No.5 of the list dated 18.8.2023. Sr. No.4 is not having prescribed qualification.</p>

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

Tribunal's orders

3. In OA No.914/2024 the applicant has challenged the order dated 19.7.2024 cancelling recommendation as limited issue of ineligibility of the applicant on the point of experience is concerned. In OA No.914/2024 the applicant is at Sr. No.6 and intervener at Sr. No.11 and Sr. No.7 to 10 are already appointed. Interveners wants that the list is to be declared and he is to be recommended for appointment.

4. Heard both the sides. The applicants in both the OAs are above the interveners and stand in merit above the interveners. The order declaring applicants ineligible on the ground of experience is challenged before this Tribunal in respective OAs and this issue of their eligibility is sub-judice. Under such circumstances it is premature and interveners have no right as of today to intervene as the eligibility of the applicants is yet to be decided by this Tribunal. Hence, interveners are neither necessary nor proper parties. Shri K.R. Jagdale, learned Advocate for the interveners state that he will file separate OAs. MA.481/2024, MA.495 & 496/2024 are rejected.

5. Status quo as of today is to maintained in OAs. No.913 & 914 of 2024 as granted by order dated 31.7.2024 in OAs No.910 & 911/2024. OA No.976/2024 is to be tagged with this group.

6. S.O. to 27.8.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)
13.8.2024

(sgj)

Sd/-
(Mridula Bhatkar, J.)
Chairperson
13.8.2024

**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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Date: 13.08.2024

O.A. No.517 of 2024

P.D. KatkarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for Respondents. Shri Anup Kamble, learned Advocate holding for Shri Aditya Raktade, learned Advocate for Respondent No.3.

2. 'Interim Relief' to continue till 'Next Date'.

3. S.O. to 14.08.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

AGR

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO.985 OF 2024 (S.B.)

B.V. Tidke **...Applicant**

Versus

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

Mr. M.D. Lonkar, learned Counsel for the Applicant.

Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

Mr. Arvind V. Bandiwadekar, learned Counsel for the Private Respondent No.4

CORAM : **Justice Mridula Bhatkar (Chairperson)**

DATE : **13.08.2024**

O R D E R

1. Learned Counsel Mr. Lonkar has tendered copy of the affidavit of service served upon all the concern. It is taken on record.
2. Learned Counsel Mr. Lonkar objects to the appointment of Respondent no.4. Learned Counsel Mr. Lonkar has submitted that by order dated 09.08.2024 the charge given to the Applicant is going to be divested to Respondent no.4, who is appointed on deputation, as mentioned in order dated 09.08.2024 (Exhibit-A) on the same post like the Applicant. He has submitted that Respondent No.4 has already completed five years on deputation in S.R.A. itself in September, 2023. As per G.Rs. dated 17.12.2016 and 16.02.2018 the period of deputation can maximum be of five years. Despite having completed five years, Respondent No.4 was again posted in CIDCO on 06.03.2024 on deputation and the same was brought to end and again she is sent back to S.R.A. on deputation.

3. Learned Counsel Mr. Lonkar has submitted that the Respondent has violated the Government policy by not acting as per G.R. dated 18.03.2022, Exhibit-I. Learned Counsel Mr. Lonkar has submitted that the Respondent has not issued Advertisement and also has not constituted any Committee. Hence there is complete violation of G.R. dated 18.03.2022. He has submitted that all these acts of Respondent-Department amounts to colourable exercise of power. Learned Counsel has submitted that the Respondent No.4 has approached this Tribunal by way of O.A.No.1145/2023. In O.A.No.1145/2023, (Respondent No.4 in O.A.No.985/2024), who is applicant in O.A.No.1145/2023, has challenged the deputation of other person with the apprehension that she will be ousted from the post. However, this Tribunal has passed order dated 21.12.2023 in O.A.No.1145/2023 which reads as below :

“The Revenue & Forest Department is therefore expected to take appropriate action well in time to transfer these two officers from cadre of 'Deputy Collectors' who are serving on posts of 'Competent Authority'. Therefore, what course of action is proposed to be taken by 'Revenue & Forest Department' and/or 'Housing Department' as per provisions of 'Housing Department' G.R. dated 18.03.2020 which regulates appointments of Officers and Staff on establishment of 'C.E.O., S.R.A.; should be informed to learned P.O. by 'Next Date'.”

Learned Counsel Mr. Lonkar has pointed out order dated 14.02.2024 passed in O.A.No.1145/2023 which reads as below :

“Learned P.O. is informed to file 'Affidavit-inReply' on basis of directions given in 'Para 3' of Order dated 21.12.2023 & 'Para 5' and 'Para 6' of Order dated 29.01.2024.”

4. Learned Counsel Mr. Lonkar has submitted that there is no C.S.B. meeting conducted by the Respondent-Department. He has submitted that Rules 4(4)(ii) and 4(5) of the Maharashtra Government Servants Regulation and Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'the ROTA 2005' for brevity) were not followed by the Government while



issuing the transfer order of the Respondent No.4 and therefore order passed by Respondent is to be stayed.

5. Heard learned Counsel Mr. Lonkar on interim relief. Applicant is not seeking any relief for himself or protection of his legal right, but he is challenging the legality in the order passed by the Respondent of transferring Respondent No.4 on deputation. Creating a particular post is the policy decision of the Government. So far as the Applicant is not transferred and his post is kept intact, I do not find, prima facie, there is any, violation of any legal right. Hence, interim relief is rejected. All the concern Respondents are hereby directed to file affidavit-in-reply.


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

7. Issue notice before admission returnable on 03.09.2024.

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. Respondents are put to notice that the case may 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. 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.



11. 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.

12. Adjourned to 03.09.2024.

sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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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Date : 13.08.2024

O.A.No.986/2024 (S.B.)

J.G. Mulay .Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents

2. Applicant prays for stay of implementation transfer order dated 08.08.2024 thereby transferring the Applicant from Pune to Nagpur on the post of Assistant Director, Health Services (Transport) and to allow the Applicant to work as he was before the impugned order of transfer was passed.

3. Learned Counsel Mr. Bandiwadekar challenges the order of transfer on the following grounds :

- (i) Applicant came to Pune on 30.06.2022 from Kolhapur by way of promotion.
- (ii) Applicant will be completing three years in July 2025 and as of now he has completed 2 years and one and half months, so it is mid-term and mid-tenure transfer.
- (iii) No C.S.B. meeting has been conducted by the Respondents.
- (iv) There are no exceptional circumstances and special reasons to issue transfer order of the applicant.
- (v) There are two posts of Assistant Director, Health Services (Transport) in the state of Maharashtra, one at Pune wherein applicant is working and another at Nagpur. Learned Counsel has submitted that out of these two posts one is to be filled up by way of nomination and other is to be filled up by way of promotion.

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

Tribunal's orders

4. Learned P.O. has submitted that one Mr. K.S. Karale, Store Officer is given the additional charge of the post of the Applicant and applicant is relieved by order dated 12.08.2024 (yesterday). The copy of said order is taken on record and marked as Exhibit-1). Learned P.O. has submitted that the applicant was holding the additional charge of the post of Deputy Director Health Services (Transport) during which he submitted report about ambulance having inferior quality was upto the mark and of good quality. A question No.1792 was raised in the Assembly about this report against the Applicant and thus, it was necessary to look into the matter and so the applicant is required to be transferred to Nagpur on account of exceptional circumstance and for this special reason. Learned P.O. has placed reliance on Circular dated 11.02.2015 issued by the G.A.D.

5. Perused notings on the transfer file furnished to the applicant. Prima facie, no case is made out to grant interim protection. Matter will be finally heard on the next date. Respondents are directed to file affidavit-in-reply. Concern Respondents are directed to come with all records on the next date.

6. Adjourned to 20.08.2024

sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A. No.754 of 2024 With O.A.No.804 of 2024</p> <p>P. V. Gade V. G. Khandale ... Applicants</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri R. M. Kolge, learned Advocate for Applicant in O.A.754/2024, Shri A. V. Bandiwadekar, learned Advocate for Applicant in O.A.804/2024 and Shri A. D. Gugale, learned PO for Respondents.</p> <p>2. The prayers in both matters appear to be similar in nature.</p> <p>3. Today, learned PO has filed Affidavit in Reply in both Original Applications. It is taken on record.</p> <p>4. The matters are admitted and kept for final hearing.</p> <p>5. S.O. to 19.08.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A. No.273 of 2024</p> <p>K. G. Dhapate ... Applicant</p> <p>Vs.</p> <p>The State of Mah.&Ors. ... Respondents</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Advocate for Applicant and Smt. Archana B. K. holding for Shri A. J. Chougule, learned PO for Respondents.</p> <p>2. The learned PO submits that they will file Affidavit in Reply positively on next date.</p> <p>3. S.O. to 21.08.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 13.08.2024

**M.A.No.471/2024 (Mumbai) in
M.A.Stamp No.1329/2024 (Aurangabad)
O.A.No.Stamp No.1330/2024 (Aurangabad) (S.B.)**

S.S. Ganjale & Ors .Applicants
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard learned Counsel holding for Mr. V.B. Wagh, learned Counsel for the Applicant (through video conference) and Mr. A.D. Gugale, learned Presenting Officer for the Respondents

2. Learned P.O. has submitted that copy of M.A. is not served upon the office of C.P.O., Mumbai.

3. Learned Counsel is directed to furnish the copy of M.A. to C.P.O. Mumbai forthwith.

4. At the request of learned Counsel adjourned to 16.08.2024

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 13.08.2024

O.A.No.708/2024

O.R. Divate
Vs.

Applicant

The State of Maharashtra & Ors. Respondents.

1. Heard Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. S.S. Dere, learned Counsel for Respondent No.2 and Applicant in M.A.No.383/2024.

2. At the request of learned P.O. adjourned to 27.08.2024 for filing affidavit-in-reply.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 13.08.2024

O.A.No.850/2024

S.R. Shelar

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Counsel for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents

2. Learned Counsel Mr. Dere has produced copy of letter dated 24.07.2024 which is sent by Applicant stating that the Applicant wants to withdraw the present O.A. as he is hoping that his grievance is going to be redressed by the Respondents.

3. In view of above, O.A. stands disposed of as withdrawn.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 13.08.2024

O.A.No.964/2024 (S.B.)

V.N. Bhabad

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. U.V. Bhosle, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents

2. In view of the order dated 08.08.2024 it was necessary for the Respondents to remain present and show compliance of paragraph 4 of the said order. The question was put to learned P.O. in the said order that why none of the 10 options given by the Applicant was considered and why the policy of posting husband and wife at one place was not followed by the said Department.

3. However, none is present from the Respondent-Department today. Thus, for want of proper instructions I am of the view that prayer clause (c) is to be allowed. Respondent No.1 is directed to keep any one post available in Nashik District as on today or which is going to fall vacant hereafter, till next date.

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

5. Issue notice before admission returnable on 20.08.2024.

6. 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.

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

8. 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.

9. 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.

10. Adjourned to 20.08.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 13.08.2024

**O.A.No.957/2024
(Caveat No.30/2024)**

P. Suryawanshi .Applicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. A.V. Sakolkar, learned Counsel for the Applicant in O.A.No.957/2024, Ms. Punam Mahajan, learned Counsel for the Caveator in Caveat No.30/2024 and Respondent no.3 in O.A.No.957/2024 and Mr. A.J. Chougule, learned Presenting Officer for the Respondents

2. Learned Counsel Mr. Sakolkar has submitted that interim relief order was passed on 06.08.2024 at 4.45 p.m. in O.A.

3. On instructions learned Counsel Ms. Mahajan has submitted that Respondent No.3 was relieved on,06.08.2024 before lunch.

4. At the request of learned P.O. time granted to file affidavit-in-reply on 21.08.2024 and for hearing the matter finally adjourned to 26.08.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A. No.1042 of 2023</p> <p>E. D. Mahadik ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Advocate for Applicant and Shri A. J. Chougule, learned PO for Respondents.</p> <p>2. S. O. to 20.08.2024 as Part-Heard.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.28 of 2023</p> <p>K. L. Vartak ... Applicant</p> <p> Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. The Applicant and his Advocate are absent. Smt. Archana B. K., learned PO for Respondents is present.</p> <p>2. S.O. to 02.09.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>M.A.631/2023 in O.A.1015/2023</p> <p>S.M. Limkar ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. The Applicant and his Advocate are absent. Smt. Archana B. K., learned PO for Respondents is present.</p> <p>2. S.O. to 27.08.2024.</p> <p style="text-align: center;">^ Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.588 of 2024</p> <p>A.R. Shinde ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Advocate for Applicant and Shri D.R. Patil holding for Shri A. J. Chougule, learned PO for Respondents.</p> <p>2. Today, learned PO has filed Affidavit in Reply. It is taken on record.</p> <p>3. S.O. to 29.08.2024 with liberty to file Rejoinder, if any.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.639/2024</p> <p>K. B. Upase ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for Applicant and Shri D.R. Patil, learned PO for Respondents.</p> <p>2. Today, learned PO has filed Affidavit in Reply on behalf of Respondent Nos.1 and 2. It is taken on record.</p> <p>3. S.O. to 29.08.2024 with liberty to file Rejoinder, if any.</p> <p style="text-align: center;">^ Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.No.847 of 2024</p> <p>C. M. Fegade ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri G. A. Bandiwadekar, learned Advocate for Applicant and Shri A. D. Gugale, learned PO for Respondents. 2. The learned PO seeks time to file Affidavit in Reply. 3. 'Interim Relief' to continue till next date. 4. S.O. to 04.09.2024. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
vsm	<p>Date : 13.08.2024</p> <p>O.A.898 of 2022</p> <p>N. S. Vaidya ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri M. B. Kadam holding for Shri S. Wankhede, learned Advocate for Applicant and Smt. Archana B. K., learned PO for Respondents.</p> <p>2. S. O. to 06.09.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.435 of 2024</p> <p>S.S. Chandorkar ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Advocate for Applicant and Shri A. J. Chougule, learned PO for Respondents.</p> <p>2. The learned PO submits that he has called one of the responsible officers to assist in the matter. He seeks short time to take instructions.</p> <p>3. S. O. to 28.08.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.465 of 2024</p> <p>S. M. Chavan ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Advocate for Applicant and Shri D. R. Patil, learned PO for Respondents. 2. The learned Advocate for Applicant submits that Rejoinder will be filed during the course of the day. The statement is accepted. It be taken on record. 3. The learned Advocate further submits that the Provisional Pension from August, 2023 is not given to Applicant. 4. The learned PO seeks time to take instructions in that respect. 5. Both parties are ready to argue finally on next date. 6. S.O. to 26.08.2024 with liberty to file Sur-Rejoinder, if any. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.490/2024</p> <p>B.K. Pawar ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri G.B. Solanke, learned Advocate for Applicant though video conference and Shri A.D. Gugale, learned PO for Respondents.</p> <p>2. The learned PO seeks time to file Affidavit in Reply. Time granted.</p> <p>3. S.O. to 04.09.2024.</p> <p>Sd/-  (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.419/2024</p> <p>S.I. Jamdar ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for Applicant and Shri A.D. Gugale, learned PO for Respondents.</p> <p>2. The learned Advocate for Applicant seeks time to file Rejoinder. Time granted.</p> <p>3. S.O. to 28.08.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.588/2023 with O.A.590/2023 with O.A.591/2023</p> <p>M. M. Gangurde & Ors. ... Applicants</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Advocate for Applicant and Shri A. J. Chougule, learned PO for Respondents.</p> <p>2. The learned PO submits that instructions from the concerned department are received and seeks time to file Affidavit in Reply.</p> <p>3. S.O. to 20.08.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.08.2024</p> <p>O.A.510/2024</p> <p>R.A. Badekar ... Applicant</p> <p>Vs.</p> <p>The State of Mah. & Ors.... Respondents</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Advocate for Applicant and Shri D.R. Patil, learned PO for Respondents.</p> <p>2. The learned Counsel for the Applicant submits that Rejoinder will be filed during the course of the day. The statement is accepted. It be taken on record.</p> <p>3. The matter is admitted and kept for final hearing</p> <p>4. S.O. to 23.09.2024 with liberty to file Sur-Rejoinder, if any.</p> <p style="text-align: center;">^ Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p>

vsm