

**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 : 13.09.2024</p> <p>M. A. No.540 of 2024 In O.A.No.1105 of 2024</p> <p>P. K. Mahale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Pooja Mankoji holding for Shri S. S. Dere, learned Advocate for the Applicants through Video Conference and Shri D. R. Patil, learned Presenting Officer for the Respondents 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid. 5. M. A. No.540 /2024 is allowed. No order as to costs. <p>Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

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

Tribunal's orders

Date : 13.09.2024

O.A.No.1105 of 2024

P. K. Mahale & Ors.Applicants

Versus

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

1. Heard Ms Pooja Mankoji holding for Shri S. S. Dere, learned Advocate for the Applicants through Video Conference and Shri D. R. Patil, learned Presenting Officer for the Respondents

2. Learned PO has raised objection that some of the Applicants age is more than 65 years, therefore, there is a delay in filing petition.

3. Learned Advocate for Applicants submits that she is ready to clarify the said issue and wants to refer one judgment of the Hon'ble Supreme Court.

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

5. Issue notice before admission returnable on 11.10.2024.

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

10. S.O. to 11.10.2024 keeping the issue of condonation of delay open.

Sd/-

(A. N. Karmarkar)
Member (J)

**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.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 13.09.2024 Tribunal's orders</p>
	<p style="text-align: center;">O.A.No.477 of 2023</p> <p>A. J. ShaikhApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri P. Nayak, learned Counsel for the Applicant through video conference and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that Applicant is transferred at the place as per his request and placed on record the copy of order dated 10.09.2024 passed by Respondent No.2. It is taken on record.</p> <p>3. Learned PO also submits that Applicant has also taken charge at Ahmednagar. Learned Advocate for Applicant submits that in view of the said transfer order dated 10.09.2024, the Original Application can be disposed of.</p> <p>4. Considering the facts noted above and as the grievance of the Applicant is redressed, the Original Application is disposed of with no order as to costs.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 13.09.2024
	<p style="text-align: center;">O.A.No.308 of 2024</p> <p>K. D. DhondgeApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. B. Kadam, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Learned PO submits that suspension period of the Applicant is regularized on 30.08.2024 and the proposal regarding retiral benefits is forwarded to concerned department. Learned PO seeks time to file reply. 3. Learned Advocate for Applicant has objected for further extension of time for filing reply. Considering the fact that suspension period is regularized recently, one opportunity is given to Respondents to file reply, failing to which necessary order will be passed and then Respondents will have to face consequences. 5. S.O. to 04.10.2024. <p style="text-align: center;">Sd/- , 5 (A. N. Karmarkar) Member (J)</p>

vsm

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

Date : 13.09.2024

O.A.No.1156 of 2024
(SB-I)

S. B. DaradeApplicant

Versus

The State of Maharashtra & Ors. .Respondents.

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant though video conference and Shri A. J. Chougule, learned PO for the Respondents.
2. Learned Advocate for Applicant has submitted that Applicant does not want to proceed with the O.A. and want to withdraw this matter.
3. It is submitted by learned Advocate that copy of withdrawal application has submitted to the office of MAT through E-mail. The said copy is obtained from the office.
4. Learned PO also submitted that withdrawal application signed by Applicant is handed over to him by learned Advocate for Applicant and he has placed the same before Tribunal for perusal.
5. In view of the submissions of both sides and the withdrawal application of Applicant, the Original Application No.1156/2024 is disposed of as withdrawn.
6. No order as to costs.

Sd/-
(A. N. Karmarkar)
Member (J)

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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 : 13.09.2024</p> <p>O.A.No.891 of 2024</p> <p>D. P. JagtapApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Shri A. D. Nagode, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO seeks time to file reply.</p> <p>3. S.O. to 27.09.2024.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> <p>Date : 13.09.2024</p>

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..... Respondent/s

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
vsm	<p>Date : 13.09.2024</p> <p>O.A.No.1024 of 2024</p> <p>Dr. S. S. PiwalatkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors...Respondents.</p> <p>1. The Applicant and his Advocate are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. Learned PO seeks time to file reply.</p> <p>3. S.O. to 04.10.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</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 : 13.09.2024</p> <p>O.A.No.1163 of 2024 (DB-I)</p> <p>D. A. GhuleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through video conference and Ms S. P. Manchekar, learned Presenting Officer for the Respondents</p> <p>2. S.O. to 19.09.2024 under the caption of 'Urgent Admission'.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.09.2024</p> <p>O.A.No.1162 of 2024 (DB-I)</p> <p>R. S. PujariApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant through video conference and Ms S. P. Manchekar, learned Presenting Officer for the Respondents</p> <p>2. S.O. to 19.09.2024 under the caption of 'Urgent Admission'.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p> <p>vsm</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 : 13.09.2024</p> <p>O.A.No.1122 of 2024 (SB-I)</p> <p>P. B. SonawaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p>1. Heard Shri U. V. Bhosale holding for Shri M. D. Lonkar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents</p> <p>2. S.O. to 23.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

vsm

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

Tribunal's orders

Date : 13.09.2024

O.A.No.1112 of 2024

P. S. ShindeApplicant
Versus
The State of Maharashtra &Ors. ...Respondents.

1. Heard Smt. Pooja Mankoji holding for Shri S. S. Dere, learned Advocate for the Applicant and Shri A. D. Gugale, learned Presenting Officer for the Respondents
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 11.10.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
8. S.O. to 11.10.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

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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 : 13.09.3024</p> <p>M. A. No.291 of 2024 in O.A.No.601 of 2024</p> <p>N. Y. ZimareApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Advocate for the Applicants and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that parawise remarks are received from the concerned department and seeks time to file reply.</p> <p>3. S.O. to 27.09.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

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	<p>Date : 13.09.3024</p> <p>M. A. No.614 of 2023 in O.A.No.1230 of 2023 With M.A.No.615 of 2023 in O.A.No.1231 of 2023 With M. A. No.673 of 2023 in O. A. No.1229 of 2023</p> <p>M. R. Ghadge S. R. Jamadar R. B. JadhavApplicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Ms Simran Raut holding for Shri V. L. Maindad, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicants seeks time to file Rejoinder in M.A.No.614 & 615/2023.</p> <p>3. Learned Advocate also seeks time to amend the M.A.673/2023 in OA 1229/2023 for substituting the names of legal heirs on record due to the death of Applicant in O.A.No.1229/2023.</p> <p>4. S.O. to 04.10.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</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 : 13.09.3024</p> <p>M. A. No.614 of 2023 in O.A.No.1230 of 2023 With M.A.No.615 of 2023 in O.A.No.1231 of 2023 With M. A. No.673 of 2023 in O. A. No.1229 of 2023</p> <p>M. R. Ghadge S. R. Jamadar R. B. Jadhav Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Ms Simran Raut holding for Shri V. L. Maindad, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicants seeks time to file Rejoinder in M.A.No.614 & 615/2023.</p> <p>3. Learned Advocate also seeks time to amend the M.A.673/2023 in OA 1229/2023 for substituting the names of legal heirs on record due to the death of Applicant in O.A.No.1229/2023.</p> <p>4. S.O. to 04.10.2024.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>
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	<p>Date : 13.09.2024</p> <p>O.A.No.1110 of 2023</p> <p>S. D. UlalkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Ms Darshana Kadekot for Shri V. B. Joshi, learned Advocate for Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. S.O. to 27.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.09.3024</p> <p>M. A. No.437 of 2024 in O.A.No.883 of 2024</p> <p>J. S. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Advocate for the Applicants and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 27.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
vsm	<p>Date : 13.09.3024</p> <p>M. A. No.436 of 2024 in O.A.No.882 of 2024</p> <p>A. R. TikoleApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri M. B. Kadam, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned PO submits that she will file reply on next date, failing to which she is ready to argue the matter on merit without reply.</p> <p>3. S.O. to 27.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.09.2024</p> <p>O.A.No.317 of 2024</p> <p>S. R. TengaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 19.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</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 : 13.09.2024</p> <p>O.A.No.1380 of 2023</p> <p>D. K. Mharse & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant seeks time to file Affidavit in Rejoinder. Time granted.</p> <p>3. S.O. to 27.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

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	<p>Date : 13.09.2024</p> <p>O.A.No.1245 of 2023</p> <p>Dr. V. B. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri S. Tilak, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents</p> <p>2. Today, learned PO has produced the copy of order dated 13.09.2024 passed by Respondent No.1 and submitted that Applicant is transferred to Government College, Miraj as per order dated 13.09.2024. The copy is taken on record.</p> <p>3. Learned Advocate for Applicant seeks time to verify the order dated 13.09.2024.</p> <p>4. S.O. to 25.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

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	<p>Date : 13.09.2024</p> <p>O.A.No.1354 of 2023</p> <p>A. M. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri N. W. Sawant, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 27.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

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	<p>Date : 13.09.2024</p> <p>O.A.No.405 of 2024</p> <p>J. U. KaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned PO has filed reply to the amended application as per order dated 06.08.2024 on behalf of Respondent Nos.1 to 3. It is taken on record.</p> <p>3. S.O. to 23.09.2024 for filing rejoinder, if any.</p> <p style="text-align: center;">Sd/- (A. N. Karmarkar) Member (J)</p>

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(Presenting Officer.....)

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	<p>Date : 13.09.2024</p> <p>O.A.No.669 of 2024</p> <p>A. H. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri Tanmay Sawant holding for Shri M. M. Deshmukh, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant submits that today, he is filing Misc Application in present O.A.</p> <p>3. S.O. to 04.10.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</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 : 13.09.2024</p> <p>O.A.No.668 of 2024</p> <p>J. I. MulaniApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri Tanmay Sawant holding for Shri M. M. Deshmukh, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO seeks time to file reply.</p> <p>3. S.O. to 04.10.2024.</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 : 13.09.2024</p> <p>O.A.No.592 of 2024</p> <p>S. D. TurbadkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents..</p> <p>2. S.O. to 27.09.2024.</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 : 13.09.2024</p> <p>O.A.No.880 of 2024</p> <p>V. S. MhatreApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri U. V. Bhosle, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents</p> <p>2. Learned PO submits that instructions are received from the concerned department and seeks time to file reply.</p> <p>3. S.O. to 27.09.2024.</p> <p>Sd/-</p> <p>(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 : 13.09.2024</p> <p>O.A.No.673 of 2024</p> <p>V. V. PichadApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ..Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO seeks time to file reply.</p> <p>3. S.O. to 27.09.2024.</p> <p>Sd/- (A. N. Karmarkar) Member (J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1155 of 2024</u></p> <p>P.B. Deshmukh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Shri D.S. Patil, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. By way of interim relief the applicant has prayed for directions to the respondent no.2 to keep one post vacant in OBC Ex-serviceman category. Ld. Advocate for the applicant submits that the applicant has submitted application in response to the advertisement for the post of Police Constable dated 1.3.2024. He submitted application from OBC category. He got 62 marks out of 100 as per his calculation on the basis of first answer key published by the respondent no.2. On grievance of some candidates, respondent no.2 published second answer key wherein they corrected 4 questions in Set-B. The applicant has obtained 3 more marks as per the second answer key. But in final result respondent has shown total marks of the applicant as 64 instead of 65. As per the final result applicant is shown to have obtained 114 marks. The respondent has published cutoff list wherein the cutoff of OBC Ex-serviceman is 115. According to the applicant, respondent no.2 has not properly calculated his marks after second answer key and they have given casual reply to the mail of the applicant.</p> <p>3. On the other hand, Ld. PO submits that applicant is upgraded to 64 marks and the said decision is communicated. According to her the respondent has acted properly and they seek one week's time to file reply.</p> <p>4. I have perused the documents particularly the answer key at pages 19 & 20 and also the copies of question paper. It was objective type examination and the candidate was expected to choose one answer out of multiple choices. On perusal of documents, I am of the view that respondents need to be heard by giving adequate time to file reply before passing interim order as prayed. I am not inclined to grant interim relief.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 20.9.2024. The respondents are directed to file reply.</p> <p>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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. 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: right;">Sd/- (A.N. Karmarkar) Member (J) 13.9.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1164 of 2024</u></p> <p>S.N. Kande ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri L.S. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. The applicant has sought interim relief for directing respondent no.2 not to proceed further to appoint candidates to the post of Instructor (Pre-Vocational Courses) (Electrical Technology) meant for Sportsperson of General Category. Alternatively, he has prayed to keep one post of Instructor meant for Sports person in General category vacant.</p> <p>3. Applicant belongs to NT-D category. He is also Sports person. Ld. Advocate for the applicant has submitted that in response to advertisement published in February, 2023 for several posts including Instructor (Pre-Vocational Courses), the applicant applied against the post of Instructor (Pre-Vocational Courses) (Electrical Technology) meant for Sports person of General Category. According to the Ld. Advocate for the applicant, 2 posts of Instructors were earmarked for Sports person belonging to general category. Advertisement appears to be somewhat different.</p> <p>According to the Ld. Advocate for the applicant he was allowed to participate in the selection process. He secured 68 marks in common examination and 50 marks in skill test i.e. total 118 marks. He was at Sr. No.758 in the general merit list. According to him, for Sports person irrespective of his social status, who is eligible for benefit of 5% reservation to Sports person, can apply for the said post. It is submitted that two candidates who were above the applicant in merit were not called for document verification. One candidate Nikhil who was at Sr. No.1 in the merit of Sports person was absent for document verification. The main grievance of the applicant is that applicant was not held eligible on the ground of not having NCL certificate for year</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>2022-23. The applicant sent mail to the respondent that he applied against the post meant for Sports person of General category and he is not required to submit said certificate. Even his further representation dated 5.9.2024 is not decided.</p> <p>Ld. Advocate for the applicant submits that his NCL certificate at Exhibit J shows that it is for the year 2023. It is submitted by Ld. Advocate for the applicant that date of advertisement or the date of consideration is material to determine whether NCL certificate is in existence. He also refers to judgment of the Hon'ble Supreme Court in <u>Priyanka Prakash Kulkarni Vs. MPSC 2024 SCC OnLine SC 125</u>.</p> <p>4. On the other hand Ld. CPO has submitted that she has no instructions. But she has submitted that NCL certificate was valid from the date 16.11.2023 to 31.3.2026. She seeks time to file reply.</p> <p>5. It is apparent from Exhibit G page 63 that applicant applied for NT-D category. It appears that applicant is held ineligible on the ground of not having NCL certificate for 2022-23. Prima facie, NCL certificate Exhibit J page 73 was issued on 16.11.2023 and is said to be valid up to 31.3.2026 from the date of issue. It is apparent that advertisement was published in February, 2023. As per the contention of the applicant the applications were to be submitted till 16.3.2023. So, Financial Year of 2022-23 would be from 1.4.2022 to 30.3.2023. Considering these facts, I am not inclined to grant interim relief. It is necessary to have reply of the respondents and to hear them before passing any order. Meantime the respondents can also mention in their reply about representation of the applicant, if any.</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 18.9.2024. The respondents are directed to file reply.</p> <p>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 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>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>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. 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>11. 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: right;">Sd/- (A.N. Karmarkar) Member (J) 13.9.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1165 of 2024</u></p> <p>S.T. Ghutukade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri L.S. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. The applicant belongs to NT-C category. The applicant has prayed for interim relief for directions to respondent no.2 to consider the application's candidature for being appointed to the post of Instructor (Pre-Vocational Courses) (Mechanical Technology). He has also prayed that one post of Instructor (Pre-Vocational Courses) (Mechanical Technology) meant for NT-C General Category be kept vacant till final decision in this OA.</p> <p>Ld. Advocate for the applicant has submitted that in response to advertisement published in February, 2023 for several posts including Instructor (Pre-Vocational Courses), the applicant applied against the post of Instructor (Pre-Vocational Courses) (Mechanical Technology) meant for NT-C General Category.</p> <p>According to the Ld. Advocate for the applicant he was allowed to participate in the selection process. He secured 88 marks in common examination and 72 marks in skill test i.e. total 160 marks. The applicant was called for document verification on 10.7.2024. One candidate Shrikant, who was above the applicant at Sr. No.51 in general merit list was absent for document verification. According to the Ld. Advocate for the applicant he has submitted NCL certificate dated 8.1.2024 which was valid till 31.3.2026 Exhibit I. However, respondent no.2 held applicant ineligible for the said post vide circular dated 26.8.2024. The applicant has also forwarded mail on 30.8.2024 and 2.9.2024 pointing out availability of NCL certificate for the year 2023-24. His representation is not considered either way. According to him the candidates below him in the merit list have been selected. So there is illegality in making selection list by respondent no.2.</p> <p>3. Ld. CPO submits that she has not received instructions and the NCL certificate is not of the FY 2022-23. She seeks time to file reply.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. It is apparent that the applicant has applied under NT-C category. Ld. Advocate for the applicant has referred to Corrigendum dated 17.3.2023 issued by the Government and also GR dated 25.3.2013. He also refers to judgment of the Hon'ble Supreme Court in <u>Priyanka Prakash Kulkarni Vs. MPSC 2024 SCC OnLine SC 125</u>.</p> <p>5. I have perused the documents. Apparently the NCL certificate was issued on 8.1.2024 and it was valid till 31.3.2026. But the advertisement was published in February, 2023. So the FY 2022-23 would be from 1.4.2022 to 31.3.2023. Considering these facts, I am not inclined to grant interim relief. It is necessary to have reply of the respondents and to hear them before passing any order.</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 18.9.2024. The respondents are directed to file reply.</p> <p>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 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>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. 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>11. 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: right;">Sd/- (A.N. Karmarkar) Member (J) 13.9.2024</p> <p>(sgj)</p>