

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>13.10.2020</p> <p>M.A.No.245 of 2020 in O.A.No.562 of 2020</p> <p>A.V. Khandre & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Gunratan Sadavarte, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A. is filed for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, M.A. is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.562 OF 2020

A.V. Khandre & Ors. ... Applicants
Vs. ... Respondents
The State of Maharashtra & Ors

Shri Gunratan Sadavarte, learned Advocate for the Applicants.

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

CORAM : JUSTICE SMT. MRIDULA BHATKAR, CHAIRPERSON.

Dated : 13.10.2020

ORDER

1. Heard Shri Gunratan Sadavarte, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. This matter is placed before Chairperson for interim relief, as Vice-Chairman Mr. Dixit has recused from the matter.

3. Learned Counsel states that the three applicants who are aspiring to appear for the State Service Preliminary Examination for the recruitment of Police Sub Inspector and so also for the Combined Group-B Non-gazetted Officers i.e. Police Sub Inspector (PSI), Sales Tax Inspector and Assistant Desk Officer examination are challenging the decision of postponing the examination which was earlier scheduled on 11.10.2020. So also the applicants are challenging the merit lists of Main examination of 2019 of PSI selection on the ground of reservation of the seats for Socially and Educationally Backward Classes (SEBC), and pray that the said merit list be revised excluding reservation of SEBC so that the applicants can be included.

4. All the three applicants want to appear for these two examinations as they have suffered because the present merit list of main examination 2019 for Police Sub Inspector was prepared on the basis of SEBC reservations.

5. Learned Counsel further submits that the preliminary examination for recruitment of PSI scheduled on 11.10.2020 is postponed and no further date is declared. He submits that a merit list of 2019 of main examination of PSI should

be declared invalid and applicants pray for revised merit list regardless to SEBC reservation quota.

6. Learned Counsel based his submissions on the two judgments of Hon'ble Supreme Court in **Dr. Jayshri Laxmanrao Patil V/s The Chief Minister & Anr. Civil Appeal No.3123 of 2020 SLP (C) No.15737 of 2019** especially relying on paragraph 17(C) of the said judgment, wherein it is held as below :-

"(C) Appointments to public services and posts under the Government shall be made without implementing the reservation as provided in the Act."

and 2nd judgment of Hon'ble Supreme Court in **Vasireddy Govardhana Sai Prakash and Ors. V/s. UPSC dated 30.09.2020** in W.P. (Civil) No.1012/2020.

7. Learned Counsel raises another point that the State of Maharashtra has no power to issue the order dated 10.10.2020 of postponing the examination. The decision of postponing examination ought to have been taken by the Maharashtra Public Service Commission (MPSC) and not the Government. According to Rule 15 of the Rules and Procedure of MPSC, the power of postponing or cancellation or scheduling the examinations vests with only MPSC. In support of his submissions he relies on Article 315 and 320 of the Constitution of India.

8. Learned Counsel prays that the record of the meeting of MPSC dated 08.10.2010 and 09.10.2020 is to be produced.

9. Learned C.P.O. seeks time to obtain the proper instructions from the State.

10. Issue notice before admission returnable on 27.10.2020.

11. Applicants are authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

12. 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.

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

14. S.O. to 27.10.2020.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p><u>O.A.No.397 of 2020</u></p> <p>S.R. Shende ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel Shri Bandiwadekar points out the order dated 30.09.2020 issued by the Deputy Secretary, (Revenue Department), wherein transfer order of the applicant dated 10.08.2020 is hereby cancelled and he is directed to continue at his previous posting at Palghar, Jawhar as Tahasildar.</p> <p>3. Applicant is directed to start working immediately.</p> <p>4. Hamdast allowed. Parties to act on unauthenticated copy. O.A. is disposed off accordingly.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

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	<p align="center"><u>13.10.2020</u></p> <p align="center">O.A.No.545 of 2020</p> <p>B.A. Waghmare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Speaking to minutes taken on record. In this matter of <u>transfer no stay was granted by the Tribunal.</u> It was specifically orally said so in the open court and in the presence of both learned Counsel for the Applicant and learned C.P.O. for the Respondents.</p> <p>3. However, the order was placed before me on Thursday, 08.10.2020 for granting stay to the transfer. The said order was signed and uploaded on that day. The learned C.P.O. after going through that order at night has contacted me telephonically and pointed out the mistake. <u>I agreed to that. I have directed the learned C.P.O. to point out this mistake by email to the Registrar and send the copy to learned Counsel Shri A.V. Bandiwadekar.</u> Accordingly, she sent the email. Therefore the matter is today taken on board for correction of the order. Meanwhile I made enquiry with my P.S. Mr. Nair who was on dais on that day and has transcribed the order. He explained that on that day group of 5 matters of learned Advocate Shri A.V. Bandiwadekar for transfer were placed on board. Out of 5 matters, in 4 matters the stay was granted however in one matter as the facts were different the stay was not granted. But while transcribing the same he got confused and hurriedly this order was typed like other 4 matters. It is true that on that day for 5 matters for urgent circulation of transfer of learned</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Counsel Shri A.V. Bandiwadekar were on the board and out of 5 matters in 4 matters interim stay was granted and this matter which is at serial no 6 on the board on 08.10.2020 and no stay was granted. Today when it was pointed out to learned Counsel Shri A.V. Bandiwadekar has fairly conceded and agreed for rectification of the order. He submitted that he has accordingly informed his client.</p> <p>4. Thus, in order dated 08.10.2020 :-</p> <p>(i) In paragraph 4 from the word It appears prima facie till 'in accordance with law' be deleted.</p> <p>(ii) Paragraphs 5 and 6 be entirely deleted.</p> <p>5. Issue notice before admission returnable on 20.10.2020.</p> <p>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. S.O. to 20.10.2020.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar J.) Chairperson</p>

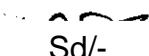
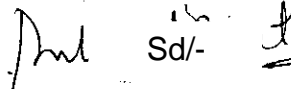
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	<p align="center"><u>O.A.No 829/2020</u></p> <p>Shri Arun P. Ghadge & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Bhandari, learned Advocate for the Applicant and Smt K.S Gaikwad learned Presenting Officer for the Respondents.</p> <p>2. Learned counsel Shri Pramod Kulkarni, files Vakalatnama on behalf of Respondent nos 5, 6, 7 & 8 and undertakes to file Vakalatnama on behalf of Respondents from 9 to 14. He wants to file reply and seeks time. Time granted to the Respondents to file reply by 22.10.2020 and to send copy of reply by email to the learned Presenting Officer, in the office of C.P.O, M.A.T, Mumbai as well as to learned counsel for the applicants.</p> <p>3. S.O to 29.10.2020.</p> <p align="center">  Sd/- (P.N Dixit) Vice-Chairman (A) </p> <p align="center">  Sd/- (Mridula Bhatkar J.) Chairperson </p> <p>akn</p>

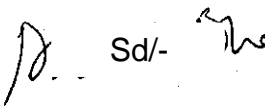
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>13.10.2020</p> <p align="center"><u>O.A.Nos 563, 564, 565 & 566/2020</u></p> <p>M.A Divekar [O.A 563/2020] V.A Zadbuke [O.A 564/2020] A.A Jadhav [O.A 565/2020] A.A. Talaskar [O.A 566/2020] ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.D.Joshi, learned Advocate for the Applicants and Shri A.J Chougule, learned Presenting Officer for the Respondents.</p> <p>2. All these four applicants who are appointed on compassionate ground in the year 2007 and who have opted for their appointments in Group-D posts, though they were eligible for Group-C post, pray that they are to be given the seniority on the basis of deemed date in view of G.R dated 23.8.1996 and 30.1.2010.</p> <p>3. Issue notice returnable on 22.12.2020.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>8. S.O to 22.12.2020.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-  (Mridula Bhatkar J.) Chairperson</p> <p>akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2020</p> <p>O.A.No.868 of 2019</p> <p>B. B. RathodApplicant Versus ...Respondents. The State of Maharashtra & Ors.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Chief Presenting Officer for the Respondents. 2. Today, the matter is fixed for hearing at the stage of admission wherein there is challenge to the transfer order dated 20.08.2019 whereby the Applicant was transferred from Mumbai to Bhandara. 3. Learned Counsel for the Applicant in the very outset pointed out that though there is a stay to the transfer order by order dated 04.09.2019, Respondent No.1 again passed subsequent transfer order on 10.08.2020 whereby the Applicant is transferred from Mumbai to Gadchiroli. He has also tendered copy of order dated 10.08.2020 for perusal and it is taken on record and marked by letter 'X'. 4. It is shocking to note that despite stay to the transfer order dated 20.08.2019, Respondent No.1 has ventured in passing subsequent transfer order which is <i>prima-facie</i> contempt of the order passed by this Tribunal on 04.09.2019. It appears that Respondent has no regard for the orders passed by this Tribunal and the Tribunal has come across such instances of contemptuous act in few other matters also for which cognizance has been taken by the Tribunal. 5. In view of above, to uphold the rule of law and sanctity of the order passed by this Tribunal, it is imperative to initiate proceedings for content of order of the Tribunal in appropriate manner. 6. Issue notice returnable on 20.10.2020 to Principal Secretary, (Dairy Development) Agriculture, Animal Husbandry, Drugs Department and Fisheries to show cause as to why action for contempt of court should not be initiated against him. 7. Affidavit-in-Reply to the show cause notice be filed on or before 20.10.2020 so as to take further appropriate steps in the matter. 8. On 20.10.2020, matter be listed before this Tribunal only. 9. Hamdast granted. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p><u>13.10.2020</u></p> <p><u>O.A 299/2020</u></p> <p>A.R Bhapkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. In this matter the copy of the order passed by Suspension Review Committee is to be placed on record on the next date.</p> <p>3. S.O to 22.10.2020.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>Alm</p>

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	<p><u>13.10.2020</u></p> <p><u>O.A 275/2020</u></p> <p>V.C Kumbhar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. A query is made to learned P.O as to when a Government servant is deemed to be suspended under Rule 4 (2) (a) & (b) of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979.</p> <p>3. Learned P.O is directed to file reply on the above query today itself.</p> <p>4. S.O to 22.10.2020.</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p><u>O.A.No.304 of 2020</u></p> <p>S.S. Medsikar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today learned Counsel for the Applicant has placed on record copy of letter dated 12.10.2020 issued by Under Secretary, Government of Maharashtra, General Administration Department (G.A.D). The same is taken on record. (Marked as 'X' for identification). The applicant has prayed that he be considered for promotion to the post of Deputy Regional Transport Officer on the basis of seniority and if at all he is found fit.</p> <p>3. The Respondents in this letter dated 12.10.2020 have taken decision as under :-</p> <p>3. <i>It appears from the records of Home Department (Transport) that the Applicant has not secured higher position in seniority rank by availing the benefits of GR dated 25.5.2004 and as such he is eligible for promotion as per his seniority on the vacant posts from open category subject to the fulfillment of other criteria, as per the instructions issued by the Govt. letter dated 29.12.2017.</i> (Quoted from paragraph 3 from letter dated 12.10.2020)</p> <p>4. In view of this nothing remains in this Original Application and it is disposed off with following directions.</p> <p style="text-align: center;">ORDER</p> <p>The Respondents No.1 and 3 to take decision in respect of applicant within 4 weeks.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p>pk</p>

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	<p><u>13.10.2020</u></p> <p align="center">O.A.No.358 of 2020</p> <p>M.D. Devkate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri P.V. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned C.P.O. for the Respondents adjourned for filing reply.</p> <p>3. S.O. to 08.12.2020.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="right">(Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

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	<p><u>13.10.2020</u></p> <p>O.A.No.220 of 2020</p> <p>D.N. Taware & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Last chance to file reply is given. If the reply is not filed then it will be considered that the respondents do not want to file reply and matter will proceed without reply.</p> <p>3. S.O. to 08.12.2020.</p> <p>Sd/-</p> <p>Sd/-</p> <p>(P.N. Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

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	<p><u>13.10.2020</u></p> <p>O.A.No.351 of 2020</p> <p>R.R. Awate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.S. Undre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned P.O. for the Respondents adjourned to 22.10.2020 for filing affidavit-in-reply.</p> <p>Sd/- Sd/-</p> <p>(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p>prk</p>

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	<p><u>13.10.2020</u></p> <p>O.A.No.358 of 2020</p> <p>M.D. Devkate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri P.V. Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned C.P.O. for the Respondents adjourned for filing reply.</p> <p>3. S.O. to 08.12.2020.</p> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

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	<p align="center"><u>13.10.2020</u></p> <p align="center">O.A.No.1192 of 2020 with O.A.No.483 of 2020 with M.A.No.221 of 2020</p> <p>P.P. Gade & Ors.(O.A.1192/2020) Association of the Sub Ordinate Service of Engineers (O.A.483/2020 with M.A.221/20) ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P. Deshmukh, learned Advocate for the Applicants in O.A.No.1192/2020 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned P.O. for the Respondents has filed affidavit-in-reply. The same is taken on record.</p> <p>3. The applicant may file the rejoinder if they want. Since the issue is short as submitted by the learned C.P.O., based on the ratio laid down by the judgment of Hon'ble High Court dated 16.02.1993 in Writ Petition No.202 of 1993, adjourned to 27.10.2020.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p align="center">prk</p>

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	<p><u>13.10.2020</u></p> <p>R.A.No.12 of 2017 in O.A.No.808 of 2016</p> <p>J.M. Gurav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This matter was not on today's board. It was taken on board at the request of applicant in person who has come from Kolhapur. He wants to submit the documents. Since the matter is fixed on 15.12.2020 he may submit his documents on the same day.</p> <p>3. S.O. to 15.12.2020.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p>prk</p>

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13.10.2020

O.A.No.304 of 2020

S.S. Medsikar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today learned Counsel for the Applicant has placed on record copy of letter dated 12.10.2020 issued by Under Secretary, Government of Maharashtra, General Administration Department (G.A.D). The same is taken on record. (Marked as 'X' for identification). The applicant has prayed that he be considered for promotion to the post of Deputy Regional Transport Officer on the basis of seniority and if at all he is found fit.

3. The Respondents in this letter dated 12.10.2020 have taken decision as under :-

3. *It appears from the records of Home Department (Transport) that the Applicant has not secured higher position in seniority rank by availing the benefits of GR dated 25.5.2004 and as such he is eligible for promotion as per his seniority on the vacant posts from open category subject to the fulfillment of other criteria, as per the instructions issued by the Govt. letter dated 29.12.2017.*

(Quoted from paragraph 3 from letter dated 12.10.2020)

4. In view of this nothing remains in this Original Application and it is disposed off with following directions.

ORDER

The Respondents No.1 and 3 to take decision in respect of applicant within 4 weeks.

Sd/-

Sd/-

18/10

(P.N Dixit)
Vice-Chairman (A)

(Mridula Bhatkar J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p><u>O.A 403/2020</u></p> <p>Smt Anusuya. P Mahale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks three weeks' time to file reply. Time granted.</p> <p>4. Earlier order dated 3.9.2020 to continue till next date.</p> <p>5. S.O 3.11.2020.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>13.10.2020</u></p> <p align="center"><u>O.A 419/2020</u></p> <p>D.G Bamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned Presenting Officer submits that the Respondent no. 1 on instructions given by Shri G.S Ahire, Awal Karkoon, (Est.) that Respondent no. 1 has decided to consider the application dated 9.10.2020 submitted by the applicant to the Respondent regarding modification of the posting favourably. Copy of letter dated 12.10.2020 of Respondent no. 1 is taken on record.</p> <p>3. In view of the above, O.A stands disposed of.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p align="center"><u>O.A 432/2020</u></p> <p>Shri B.V Rikame ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents. 2. Learned counsel for the applicant submits that he has served private Respondent no. 2, Smt Manisha Patil, Talathi, Saza Mhasrul, Tal & Dist-Nasik. 3. Learned P.O is directed to produce record of transfer on the next date. 4. It is directed that without prejudice the applicant to join his new posting if not already joined. 5. S.O to 24.11.2020. <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>13.10.2020</u></p> <p><u>O.A 433/2020</u></p> <p>Shri M.R Kasane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant, Shri A.J Chougule, learned P.O for the Respondent no. 1 and Shri M.D Lonkar, learned advocate for Respondent no. 2.</p> <p>2. Learned P.O informs that the applicant has kept original Service Book unauthorizedly in her custody. Number of times Respondents have issued letter to the applicant and copy of the said letters are produced.</p> <p>3. Applicant is directed to return the Service Book to the authority forthwith as this order is made in the presence of learned counsel for the applicant.</p> <p>4. S.O to 24.11.2020.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>Alm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p><u>O.A 447/2020</u></p> <p>D.A Khade ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.R Joshi , learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O is directed to file copy of order in review passed by the Respondents regarding suspension of the applicant and also file affidavit in reply.</p> <p>3. S.O to 3.11.2020.</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p style="text-align: center;"><u>O.A 452/2020</u></p> <p>R.N Mohite ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard hri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O files short affidavit of Anup B. Puranik. Assistant Commissioner, State Excise, dated 8.10.2020. Same is taken on record. Copy of reply be served on learned counsel for the applicant.</p> <p>3. S.O 5.11.2020.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p><u>O.A 530/2020</u></p> <p>G.S Kolekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.D Joshi, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents and Shri Vaibhav Ugle, learned advocate for Respondent no. 3.</p> <p>2. Learned advocate for Respondent no. 3 files Vakalatnama along with affidavit in reply. Same is taken on record.</p> <p>3. S.O to 22.10.2020.</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p><u>O.A 356/2020</u></p> <p>Shri M.D Mire ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 24.11.2020.</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p>O.A.No.390 of 2020</p> <p>P.P. Sakhare ... 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 Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that he has received written application from the applicant to withdraw the O.A. Application is taken on record and marked as 'A'.</p> <p>3. O.A. is allowed to be withdrawn.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">/</p> <p style="text-align: right;">(Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

**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 : 13.10.2020</p> <p style="text-align: center;">O.A.No.212 of 2020</p> <p>S. H. ParcheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is listed on board for hearing at the stage of admission without reply as the Respondents failed to file reply despite enough chances.</p> <p>3. Learned P.O. submits that reply is ready and seeks permission to file the same.</p> <p>4. Allowed to file reply. it is taken on record.</p> <p>5. On request of learned Counsel for the Applicant, two weeks time is granted for filing rejoinder.</p> <p>6. S.O. to 29.10.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) 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 : 13.10.2020</p> <p align="center">O.A.No.278 of 2019</p> <p>B. B. RathodApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. As the pleadings are complete, the matter is adjourned for final hearing.</p> <p>4. S.O. to 29.10.2020.</p> <p align="right">Sd/- <i>W</i> (A.P. Kurhekar) 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 : 13.10.2020</p> <p align="center">M.A. No.247 of 2020 in O.A.No. 122 of 2020</p> <p>Shri A. S. BhamareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. This M.A. is filed for condonation of delay in pending O.A.No.122/2020. 3. As the Respondents are already responded through P.O., issuance of separate notice in M.A. is dispensed with. 4. The Applicant however to serve the notices of M.A. on Respondents for their knowledge and information. 5. Learned P.O. is directed to file reply in M.A. within two weeks. 6. S.O. to 27.10.2020. <p align="right">Sd/- (A.P. Kurhekar) 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	Date : 13.10.2020 Tribunal's orders
	<p>O.A.No.905 of 2017 with M.A.No.698 of 2019</p> <p>Dr. D. SimonApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply to the amended O.A. will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 22.10.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

13/10/20
Affidavit in reply filed by
A.No. 1, 2 & 5.


**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, Appearances, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2020</p> <p>M.A. No.140 of 2020 in O.A.No.208 of 2020</p> <p>D.D. SinghApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed reply in Misc. Application. It is taken on record.</p> <p>3. Matter is adjourned for hearing.</p> <p>4. S.O. to 29.10.2020.</p> <p style="text-align: right;">Sd/- V (A.P. Kurhekar) 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 : 13.10.2020</p> <p>O.A.No.223 of 2020</p> <p>O. N. Kamble & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing reply to the Respondents but same is not filed.</p> <p>3. However, on request of learned P.O. for the Respondents, two weeks time is granted as a last chance.</p> <p>4. S.O. to 27.10.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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><u>13.10.2020</u></p> <p><u>O.A.No. 464/2020 with M.A 214/2020 in O.A 99/2020</u></p> <p>Shri _____ ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p align="center"><u>SPEAKING TO THE MINUTES</u></p> <p>1. None for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents 1 & 2 and Smt Punam Mahajan, learned advocate for Respondents no 4 to 10.</p> <p>2. Learned C.P.O has filed application for Speaking to the Minutes. However, learned counsel for the applicants is not present.</p> <p>3. Hence matter is fixed first on Board on 15.10.2020.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p><small>Akn</small></p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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13.10.2020

O.A.No. 542/2020

Dr. B.H Tadvi ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajam, learned advocate for the applicant and Ms Swati Manchekaer, learned P.O for the Respondents.
2. The applicant, who is working as Superintendent, State Excise, at Sindhudurg, prays that he be promoted to the post of Deputy Commissioner, State Excise. Learned counsel for the applicant submits that he was given minor penalty on 25.9.2020. However, at the time of promotion, minor penalty imposed by the authority should not come in the way. In support of her submissions, she relied on the ratio laid down in the case of Sarva Uttar Pradesh Gramin Bank & Ors Vs. Manoj Kumar Chak & Ors, reported in (2013) 6 SCC 287.
3. Learned C.P.O seeks time to file reply. Learned counsel prays for interim relief that there is only one post of post of Dy. Commissioner, State Excise vacant and therefore that post should not be filled up by giving promotion to the person junior to him.
4. Learned C.P.O opposed for grant of interim relief.
5. In view of this, the Respondents to take note that if the said post is filled up by issuing the promotion order hereafter it will be subject to the outcome of this Original Application.
6. Issue notice returnable 26.11.2020.
7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
10. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

11. S.O to 26.11.2020.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Sd/-

(Mridula Bhatkar J.)
Chairperson



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p><u>M.A 228/2020 in O.A.No. 500/2020</u></p> <p>Shri G.B Mane & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Smt Kranti S.Gaikwad, learned P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed, subject to payment of court fees, if not already paid.</p> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


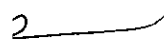
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>13.10.2020</u></p> <p align="center"><u>O.A.No. 500/2020</u></p> <p>Shri G.B Mane & Others ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicants who are Head Constables posted at Thane District pray that they are superseded by their juniors to the post of Assistant Sub Inspector. Learned counsel for the applicants submits that the order of promotion dated 30.4.2020 and 14.7.2020 were issued by the Respondent no. 3, excluding the present applicants.</p> <p>3. The applicants have filed representation dated 27.5.2020, 20.6.2020, 19.7.2020, 16.8.2020.</p> <p>4. As the first representation is made and it is not yet decided, Learned P.O submits that minimum 6 months' time is permissible as per law to take decision on the representation and the authority will take decision within six months.</p> <p>5. Considered the submissions. The Respondents are directed to decide the representation of the applicants on or before 1.12.2020 on reservation policy while deciding the promotion, as per law laid down by the High Court and Hon'ble Supreme Court.</p> <p>6. Original Application stands disposed of.</p> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p>Akn</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>13.10.2020</u></p> <p align="center"><u>O.A.No. 505/2020</u></p> <p>Shri A.T Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Swati Manchekar , learned C.P.O for the Respondents. 2. Applicant is directed to furnish complete set of O.A to the office of learned C.P.O. It pertains to selection process for the post of Assistant Director as per Advt. no. 59/2017. The applicant prays that the said selection process be stayed. 3. Learned C.P.O submits that the candidates were already called for the interview and the said selection process is already over. 4. Issue notice returnable on 24.11.2020 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued. 6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 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. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice. 9. S.O to 24.11.2020. <p align="center">Sd/- Sd/-</p> <p align="center">(P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</p> <p align="center">Akn</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 : 13.10.2020</p> <p>M.A. No.529 of 2019 in O. A. No.959 of 2019</p> <p>R.A. KoliApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicants and their Counsel are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Enough time was granted for filing reply. However, on request of learned P.O., two weeks time is granted as a last chance with direction that no further time will be granted.</p> <p>3. Matter is adjourned for filing reply as well as hearing of Misc. Application.</p> <p>4. S.O. to 29.10.2020.</p> <p>Sd/- v (A.P. Kurhekar) 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
	<p>Date : 13.10.2020</p> <p>O.A.No.83 of 2020</p> <p>M. C. Lilani & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This Ori. Application is filed on 28.01.2020 for regularization of four applicants out of them two are already retired. 3. Enough time is granted but no reply is filed. On previous date, two weeks time was granted as a last chance but in vain. 4. I am, therefore, not inclined to grant further time for filing reply. 5. Shri A.V. Bandiwadekar, learned Counsel for the Applicants point out that the matter in issue is already covered in view of the decision in O.A.No.1049/2016 decided by this Tribunal on 12.01.2017 which has been implemented by the Respondents. He has also pointed out that these applicants were co-applicants in the proceeding before the Industrial Court along with the applicant in O.A.1049/2016. 6. ^{THW} Though prima-facie, the applicants seem to be similarly situated persons but despite the said position, the Respondents are not extending similar benefits to the Applicants nor filing reply though enough time is granted. 7. In view of above, matter be kept for hearing at the stage of admission without reply. 8. S.O. to 20.10.2020. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) 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 : 13.10.2020</p> <p align="center">O. A. No.129 of 2020</p> <p>D. T. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Vaishali Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing reply. However, on request of learned P.O., two weeks time is granted as a most last chance.</p> <p>3. S.O. to 20.10.2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 488 OF 2020**

DISTRICT : NASIK

Shri Vikas N. P atil)...**Applicant**

Versus

The State of Maharashtra & Others)...**Respondents**

Shri C.T Chandratre, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Shri P.N Dixit (Vice-Chairman) (A)

DATE : **13.10.2020**

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

ORDER

1. Heard Shri C.T Chandratre, learned advocate for the applicant and Shri A.J Chougule , learned P.O for the Respondents.

2. The applicant who was working as Superintending Engineer, retired on 28.2.2013 has faced the departmental enquiry which was completed on 4.1.2016. In the Departmental Enquiry all the charges against him were proved. His say on enquiry report was called for. He submitted his say on 29.2.2016. However till today the Disciplinary Authority has not taken any decision by passing final order. Thus the decision of the Disciplinary Authority is awaited for more than four and half years.

3. The applicant officiated his last posting in P.W.D in Mumbai. The incident of misconduct has taken place in Amravati and therefore, the learned P.O challenges the territorial jurisdiction of this Tribunal.

4. Learned counsel for the applicant submits that the Officer has retired from M.M.R.D., Mumbai and is residing at Nasik after retirement and it is within territorial jurisdiction.

5. The Disciplinary Authority, i.e. Secretary, P.W.D, Mantralaya, Mumbai and the applicant, who has retired held his last posting in Mumbai and therefore, the Principal Bench of M.A.T, Mumbai is empowered to go ahead with the matter.

6. It is submitted by learned counsel that applicant was getting provisional pension till February, 2020. However, it is stopped. He prays relief for the same.

7. The Respondents are directed to pay the provisional pension to the applicant from the date when it is stopped and it should continue till passing of the final order.

8. Issue notice returnable on 27.10.2020.

9. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

10. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

11. 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.

12. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

13. S.O to 27.10.2020.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 13.10.2020
Dictation taken by : A.K. Nair.

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13.10.2020,.doc

