


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.10.2022</p> <p align="center">O.A. No.101 of 2022</p> <p>S.T. GhawaliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The impugned order is passed by General Manager, Government Canteen, Goods and Sales Tax Bhavan, Mazgaon, Mumbai. However, appointment order has been issued by Joint Commissioner, State Tax, Mumbai but he is not made party. Dispute is about appointment on compassionate ground in Group 'C' instead of Group 'D'. Therefore, Joint Commissioner, State Tax is necessary party.</p> <p>3. In view of above, learned Advocate for the Applicant sought permission to amend Joint Commissioner, State Tax, Mumbai as Respondent No.2. Allowed to join him as Respondent No.2.</p> <p>4. Amendment be carried out within three days.</p> <p>5. S.O. to 18.10.2022.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="left">NMN</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 : 13.10.2022</p> <p>O.A.No.775 of 2022 to O.A.No.779 of 2022 with O.A.No.790 of 2022 to O.A.No.793 of 2022 with O.A.No.796 of 202 with O.A.No.830 of 2022</p> <p>V.R. SaroleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Pranav Avhad a/w Mr. Darsha Naval, learned Advocate for the Applicant in O.A.N.790/2022 & O.A.No.791/2022, Mr. Bhushan A. Bandiwadekar, learned Advocate for the Respondent No.3, 4 and 4&9 in O.A.No.775/2022, O.A.No.776/2022 and O.A.No.790/2022 & 791/2022 respectively and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Interim relief, if any, to be continued till next date.</p> <p>3. Adjourned to 14.11.2022 under the caption of Final Hearing.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</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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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p>O.A.No.361 of 2022 with O.A.No.362 of 2022 with O.A.No.505 of 2022 with O.A.No.506 of 2022 with O.A.No.108 of 2020 with O.A.No.109 of 2020 with O.A.No.468 of 2020 with O.A.No.469 of 2020 with O.A.No.569 of 2022 with O.A.No.570 of 2022</p> <p>L.K. Shinde & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Time granted to learned P.O. for filing affidavit-in-reply.</p> <p>3. Adjourned to 10.11.2022. Interim relief, if any, to be continued till next date.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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	<p>Date : 13.10.2022</p> <p>O.A.No.222 of 2022</p> <p>S.S. PadaveApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply is not filed by Respondent No.1. Last chance granted for filing reply.</p> <p>3. Adjourned to 10.11.2022.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p>O.A.No.197 of 2022</p> <p>D.S. Tike & Ors..Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Affidavit-in-reply is filed today. For rejoinder adjourned to 24.11.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</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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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p align="center">O.A.No.495 of 2020</p> <p>S.A. Shaikh & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Reply is filed. Admit. Adjourned to 17.11.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p align="center">O.A.No.761 of 2022</p> <p>S. G. SuryawanshiApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 18.01.2022 issued by the Collector. He is particularly aggrieved by 1st clause of the order wherein it is stated that the Applicant is deemed to be suspended w.e.f. 17.05.2015 and in 3rd clause it is stated that period from 17.05.2015 to 12.08.2021 will also be treated as suspension period. Then again in clause 5- the Collector further stated that whether the period from 17.05.2015 to 12.08.2021 will be considered as a duty period or otherwise will be decided after final decision in D.E.</p> <p>3. During the course of hearing, it is transpired that Applicant has already availed remedy of filing appeal before the Divisional Commissioner, Pune who decided the appeal on 15.06.2022 and some extent interfered with the order passed by the Collector.</p> <p>4. The Commissioner in his order dated 15.06.2022 held that the period from 17.05.2015 to 20.07.2015 is required to be considered as suspension period and the period from 21.07.2015 to 12.08.2021 has to be treated as a period of dismissal (out of service period) and after the said decision only, the Applicant can file an appeal. The Commissioner thus holds that the appeal is premature but at the same time, the Commissioner also directed to Collector to take the decision about one earlier period of suspension from 18.08.2010 to 22.10.2010.</p> <p align="right">[P.T.O.]</p>

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	<p>5. Thus, in view of the order passed by the Commissioner, the Collector, Kolhapur was required to pass further order. However, till date he has not passed any such order.</p> <p>6. Thus, the grievance raised by the Applicant that to much extent is addressed by the Commissioner in his appellate order and directed the Collector to take requisite steps in light of observations made by him.</p> <p>7. In view of above, O.A. deserves to be disposed of with suitable directions to the Respondents.</p> <p>8. Learned Counsel for the Applicant has pointed out that before taking any such decision, the Collector is required to follow Rule 70 of Maharashtra Civil Services (Joining Time, Foreign Service, and Payments during Suspension, Dismissal and Removal) Rules, 1981 (herein after referred to as 'Rules 1981') which <i>inter-alia</i> provides procedure to follow while determining the issue of entitlement of a Government servant for pay and allowances of out of service period where he is reinstated in service. In this behalf, he referred to Circular dated 12.06.1986 issued by the Government.</p> <p>9. Since now it is for the Collector, Kolhapur to take appropriate decision in the matter. It would not be appropriate to make any observation by this Tribunal. All that can be said that the Collector, Kolhapur is required to act upon the order passed by the Commissioner dated 15.06.2022 and in observance of Rule 70 of 'Rules 1981' shall pass appropriate order.</p> <p>10. In view of above, O.A. is disposed of with direction to Respondent- Collector, Kolhapur to pass appropriate order in the light of observation made above within two months from today.</p> <p>11. No order as to costs.</p> <p>12. Steno copy allowed.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

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	<p align="center">Date: 13.10.2022</p> <p align="center">O.A. No.1013 of 2022</p> <p>T.H. DhekaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer holding for Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged recovery order dated 22.09.2022 <i>inter-alia</i> contending that it is in conflict to the order passed by the Hon'ble High Court in Writ Petition No.131/2020 dated 13.04.2022 which was filed against the dismissal of O.A. No.732/2017.</p> <p>3. Learned Advocate for the Applicant sought interim relief for stay to the impugned order.</p> <p>4. Learned P.O. submits that no cohesive^{coercive} action of recovery will be taken till the filing of Reply. Statement is accepted.</p> <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 14.11.2022.</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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>11. S.O. to 14.11.2022.</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 13.10.2022</p> <p align="center">O.A. No.951 of 2022</p> <p>D.D. Harale,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Pooja Mankoja, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. This matter is for the first time listed for admission and issuance of notices but learned Advocate for the Applicant filed withdrawal pursis. 3. Learned Advocate for the Applicant on record submits that the impugned orders dated 24.06.2022 and 25.06.2022 are indeed orders of punishment of compulsory retirement but inadvertently O.A. is filed treating the said order as suspension order and ground for challenging suspension are incorporated in O.A. 4. Learned Advocate for the Applicant submits that she want to file fresh O.A. challenging order, and therefore sought permission to withdraw O.A. 5. Allowed to withdraw O.A. with liberty to file fresh O.A. challenging punishment of compulsory retirement as may be permissible in law. 6. No order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</p> <p align="left">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 : 13.10.2022</p> <p>O.A.No.743 of 2022 with O.A.744 of 2022</p> <p>Dr. K. S. MadarApplicants</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file reply by way of last chance.</p> <p>3. Interim relief in O.A.No.744/2022 be continued till next date.</p> <p>4. S.O. to 10.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 13.10.2022</p> <p align="center">O.A. No.636 of 2022</p> <p>K.S. KadlagApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Advocate holding for Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that review committee has already taken decision to revoke the suspension but formal order is not yet issued and sought three days time.</p> <p>3. S.O. to 17.10.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p style="text-align: center;">O.A.No.1022 of 2022</p> <p>P. S. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri V. P. Potbhare, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant sought declaration that show cause notice dated 24.01.2022 may declare illegal since it is issued at flag end of the service. 3. The Respondent No.2 issued show cause notice dated 24.01.2022 to the Applicant as to why his out of service period from 24.04.2012 to 26.06.2015 should not be treated as such to which the Applicant submitted his reply on 09.02.2022. However, no decision is taken by the Respondent No.2. He is retiring on 31.10.2022, therefore, he filed this O.A. 4. The issue of pay and allowances for out of service period is required to be determined by the competent authority and indeed it ought to have been decided much earlier. But there is inaction on the part of Respondents. 5. Since now the Applicant is retiring at the end of this month, the Respondents have to expedite the process so that Applicant could get his retiral benefits as per his entitlement in accordance to law without further delay. 6. In view of above, O.A. is disposed of with direction to the Respondents to take appropriate decision in pursuance of show cause notice dated 24.01.2022 in the light of reply dated 09.02.2022 filed by the Applicant in accordance to law within four weeks from today and the decision shall be communicated to the Applicant. 7. Original Application is disposed of with no order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 13.10.2022</p> <p align="center">O.A.No.957 of 2022 with O.A.959 of 2022 with O.A.962 of 2022</p> <p>M. R. Jadhav L. G. ChavanApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar , learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing reply by way of last chance and no further time will be granted since the Applicant stands retired long ago and O.A. deserves to be disposed of expeditiously.</p> <p>3. S.O. to 10.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

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	<p align="center">Date: 13.10.2022</p> <p align="center">O.A. No.806 of 2022</p> <p>D.D. Harale,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondents. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 07.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.10.2022</p> <p align="center">M.A. No.594 of 2022 in O.A. No.987 of 2022</p> <p>A.D. NatheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to condone the delay of three months caused to file O.A. wherein challenge is to the order dated 28.06.2021 whereby the Applicant is repatriated to his parent Department.</p> <p>3. Learned P.O. opposed the Application stating that grounds are not sufficient to condone the delay.</p> <p>4. Since, there is delay of hardly three months, in the interest of justice, I am inclined to condone delay so as to decide O.A. on merit.</p> <p>5. In view of above, M.A. is allowed with no order as costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.10.2022</p> <p>O.A. No.987 of 2022</p> <p>A.D. NatheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order dated 28.06.2021 whereby he is repatriated to his parent Department. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 16.11.2022. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 16.11.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 13.10.2022</p> <p align="center">O.A.No.534 of 2022</p> <p>Shivanand JattiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Rajesh Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit in Sur-Rejoinder on behalf of the Respondent No.4. It is taken on record.</p> <p>3. S.O. to 16.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p align="center">O.A.No.566 of 2022</p> <p>S. A. MoreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., 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. S.O. to 17.11.2022.</p> <p 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>Date : 13.10.2022</p> <p align="center">O.A.No.326 of 2022 with O.A.No.863 of 2022</p> <p>N. N. KulkarniApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard the Applicant in person and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply in O.A.No.326/2022 is under preparation and same will be filed during the course of the day. The statement is accepted. It be taken on record.</p> <p>3. On request of learned P.O., two weeks time is granted to filed reply in O.A.No.863/2022</p> <p>4. S.O. to 10.11.2022.</p> <p align="right">Sd/- (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 : 13.10.2022</p> <p style="text-align: center;">M. A. No.590 of 2022 in R.A.No.22 of 2022 in O.A.No.496 of 2020</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>A. B. Baviskar & Ors. ...Respondents (Ori. Applicants)</p> <ol style="list-style-type: none"> 1. Heard Smt. Archana B. K., learned Counsel for the Applicants (Ori. Respondents) and Shri K. R. Jagdale, learned Presenting Officer for the Respondents (Ori. Applicants). 2. M.A.No.590/2022 is filed for condonation of delay caused in filing R.A.No.22/2022 in respect of order passed by the Tribunal in O.A.No.496/2020 on 17.06.2021. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 16.11.2022. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. & R.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Miscellaneous Application & Review Application shall stand dismissed. 9. S.O. to 16.11.2022 <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 13.10.2022</p> <p align="center">M. A. No.602 of 2022 in O.A.No.988 of 2022</p> <p>V. V. Deshmukh & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P. S. Bhavake, learned Counsel for the Applicants and Smt. Kranti Gaikwad, 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.602 /2022 is allowed. <p 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_____

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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 : 13.10.2022</p> <p style="text-align: center;">O.A.No.654 of 2022</p> <p>V G. GuravApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file reply but the same is not filed.</p> <p>3. Hence, I am not inclined to grant further time to file reply.</p> <p>4. O.A. be kept for hearing at the stage of admission without reply.</p> <p>5. S.O. to 11.11.2022.</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____

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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 : 13.10.2022</p> <p align="center">O.A.No.728 of 2022</p> <p>S. D. Jagale & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, the matter is for filing Rejoinder but the same is not filed. 3. O.A. be kept for final hearing. 4. S.O. to 10.11.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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MUMBAI**

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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 : 13.10.2022</p> <p align="center">O.A.No.1023 of 2022</p> <p>V. R. GosaviApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 10.06.2022 issued by the Government <i>inter-alia</i> contending that the Applicant is subjected to prolong suspension without initiation of D.E. or filing of charge sheet in criminal case.</p> <p>3. Perusal of record reveals that this is 2nd round of litigation. Earlier, the Divisional Commissioner, Kokan Division suspended the Applicant by order dated 11.03.2022 by way of deemed suspension which was challenged in O.A.No.274/2022, having found that the Applicant was not under custody for more than 48 hours, the suspension order was quashed and set aside by order dated 29.03.2022 with liberty to take further remedial measures in accordance to law.</p> <p>4. It is on the above background, now the Government suspended the Applicant by order dated 10.06.2022 and no further steps seem to be taken for initiation of D.E. or filing of charge sheet in the criminal case.</p> <p>5. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Issue notice before admission returnable on 17.11.2022.</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 M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>11. S.O. to 17.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p align="center">O.A.No.988 of 2022</p> <p>V. V. Deshmukh & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri P. S. Bhavake, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants have challenged order dated 01.09.2022 whereby benefit of ACPS granted to them initially on completion of 10 years has been withdrawn and recoveries sought in 10 installments.</p> <p>3. Learned Counsel for the Applicant in referencē to decision of the Hon'ble Bombay High Court in 2019 (4) Bom. C. R. 679 (Association of Sub-ordinate Service of Engineers Maharashtra State & Ors. V/s State of Maharashtra & Ors.) and one more decision of the Hon'ble High Court in Civil W.P.No.8009 of 2021 (Suhas Dharasurkar & Ors. V/s State of Maharashtra & Ors.) decided with connected W.P.s on 02.08.2022 submits that impugned action is totally unsustainable and, therefore, sought interim relief.</p> <p>4. Learned P.O. sought time to go through the judgment and to take instructions from the department as to whether the Applicants are entitled to the said decisions.</p> <p>5. In view of above, by way of interim relief recoveries sought by order dated 01.09.2022 is stayed till further orders.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 17.11.2022.</p> <p>8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>12. S.O. to 17.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p style="text-align: left;">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 13.10.2022</p> <p align="center">O.A.No.1014 of 2022</p> <p>D. D. PanbudeApplicant</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 Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired on 31.05.2020 but his gratuity is not paid. His further grievance is that other retiral benefits were also paid belatedly. He, therefore, filed this O.A. for direction to release gratuity with interest and also claims interest on other belated payment of retiral benefits.</p> <p>3. Perusal of pension order issued by the office of A.G. reveals that gross gratuity was payable of Rs.11,40,150/- but it is shown withheld. No reason is shown as to why it is withheld.</p> <p>4. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 16.11.2022.</p> <p>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 M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>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.</p> <p>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.</p> <p>9. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.</p> <p>10. S.O. to 16.11.2022</p> <p>11. Learned P.O. is also directed to take instructions from the department and apprise the Tribunal as to why gratuity is withheld.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 13.10.2022</p> <p align="center">O.A. No.356 of 2022</p> <p>R.S. Kore through legal heirs Smt. S.R. Kore & Shri A.R. KoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Advocate for the Applicant has filed Additional Affidavit along with certain Annexure showing the hospitalization of the deceased Government servant. It is taken on record.</p> <p>3. When the matter was partially heard on 29.09.2022, Tribunal gave certain directions to Respondent No.2 – The Commissioner, State Excise, Mumbai in Para 11 & 12 of the order which is as under:-</p> <p>“11. In view of above, the Respondents are directed to take necessary steps immediately and to ensure the payment of leave encashment, GPF, GIS and medical reimbursement bill within two weeks from today.</p> <p>12. In addition to above, the Respondent No.2 - Commissioner, State Excise, Mumbai is also directed to examine the papers about entitlement of the Applicant for ex-gratia payment of Rs.50 Lakhs to the Applicant and shall apprise the Tribunal about the same on next date. The Joint Commissioner Shri Vishwanath Indise is present in the Tribunal and is directed to ensure the compliance of this order. He should remain present on next date to apprise the Tribunal about the steps taken by him.”</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned P.O. submits that the process of grant of Leave Encashment, GPF, GIS and Medical reimbursement are under process and it will be completed soon.</p> <p>5. As regard, directions given in Para 12 of the order, learned P.O. submits that the Commissioner, State Excise, Mumbai has examined the papers and will file Affidavit as to whether the Applicant is entitle to <i>ex-gratia</i> payment of Rs.50 Lakhs.</p> <p>6. Three weeks^{Days} time is granted to file Affidavit of the Commissioner, State Excise, Mumbai to state on Affidavit compliance of Para 11 & 12 of the order dated 29.09.2022.</p> <p>7. S.O. to 17.10.2022.</p> <p>8. Steno copy granted.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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 : 13.10.2022</p> <p>O.A.No.870 of 2022</p> <p>Dr. A.S. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.R. Deshpande, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Last chance was granted to learned P.O. to file reply.</p> <p>3. Adjourned to 17.11.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) 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 : 13.10.2022</p> <p align="center">O.A.No.625 of 2022</p> <p>S.D. AkaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has placed before us order dated 12.10.2022 wherein the applicant is promoted to the post of Assistant Commissioner of Police, Motor Vehicle, Pune City. In the O.A. there is prayer of deemed date 02.03.2021. He prays for promotion along with deemed date because vacancies were available at the time of DPC on that date.</p> <p>3. We direct Respondent-State to consider this matter and come with instructions.</p> <p>4. Adjourned to 17.11.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) / Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.980 of 2022</u></p> <p>P.M. Desai & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Respondents to verify and consider whether cases of the applicants are covered by the order dated 23.9.2022 passed by this Tribunal in OAs No.557 & 676/2021.</p> <p>3. S.O. to 20.10.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 13.10.2022 13.10.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.599 of 2022 in O.A. No.980 of 2022</u></p> <p>P.M. Desai & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants has filed the above MA No.599 of 2022 praying for adding three persons as Applicants No.13, 14 & 15 in the array of Applicants as per Schedule-I and Schedule-II annexed to the MA.</p> <p>3. MA for adding applicants is allowed. Amendment be carried out today itself and amended copy be served on all concerned.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 13.10.2022 13.10.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1010 of 2022</u></p> <p>Kamalakar C. Mundhe & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants 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 20.10.2022. The respondents are directed to file reply. Respondents to verify and consider whether cases of the applicants are covered by the order dated 23.9.2022 passed by this Tribunal in OAs No.557 & 676/2021.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 13.10.2022 13.10.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.589 of 2022 in O.A. No.1005 of 2022</u></p> <p>Pankaj P. Bhople & 27 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/- Sd/-</p> <p align="center"><i>Ms Gadgil</i> / <i>Mridula Bhatkar, J.</i></p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) / Chairperson 13.10.2022 / 13.10.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.963 of 2022</u></p> <p>S.S. Mahajan & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Respondents to verify and consider whether cases of the applicants are covered by the order dated 23.9.2022 passed by this Tribunal in OAs No.557 & 676/2021.</p> <p>3. S.O. to 20.10.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 13.10.2022 13.10.2022</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.1078 of 202016</u> <u>(OA.443/2014-Nagpur)</u></p> <p>R.D. Wardhane & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants, Smt. K.S. Gaikwad, learned Presenting Officer for Respondent-State and Shri Mahesh Deshmukh, learned Advocate for Respondents No.14 & 15.</p> <p>2. At the request of Shri Mahesh Deshmukh, Ld. Advocate for Respondents No.14 & 15, this matter is de-tagged from the group as he wants to advance submissions after Diwali vacation.</p> <p>3. Hence, the matter though is argued by Shri A.Y. Sakhare, Ld. Senior Counsel with Shri K.R. Jagdale, Ld. Advocate for the applicants, for the purpose of submissions of the Respondents the matter is de-tagged. Submissions of Ld. PO and Ld. Advocate for private respondents will be heard thereafter.</p> <p>4. S.O. to 17.11.2022. Part heard. De-tagged from group.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 13.10.2022 13.10.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.974 of 2022</u></p> <p>Nayan G. Kabadi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Nayan G. Kabadi, Applicant in person and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 17.11.2022. 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/- Sd/- </p> <p style="text-align: center;">(Medha/Gadgi) / (Mridula Bhatkar, J.) Member (A) Chairperson 13.10.2022 13.10.2022</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.945 of 2022</u></p> <p>Yogita S. Jagtap ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Avinash D. Kango, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO pointed out that by letter dated 15.12.2021 the respondent-State has rejected representation of the applicant dated 3.11.2021 on the ground that she has secured less marks in the ground test i.e. 20 which is less than cut-off marks of 25 and therefore applicant was not considered. Ld. PO submits that however this letter dated 15.12.2021 is not challenged by the applicant in the OA.</p> <p>3. Ld. Advocate for the applicant wants to file MA for amending the OA.</p> <p>4. S.O. to 3.11.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 13.10.2022 13.10.2022</p> <p>(sgj)</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 : 13.10.2022</p> <p>O.A.No.664 of 2018</p> <p>A.P.B. LoharApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. No reply is filed. Matter to proceed without reply.</p> <p>3. Admit. Adjourned to 17.11.2022 HOB.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (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 : 13.10.2022</p> <p>O.A.No.198 of 2022</p> <p>C.S. Lokhande & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Affidavit-in-reply is filed today. For rejoinder adjourned to 24.11.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (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 style="text-align: center;"><u>13.10.2022</u></p> <p style="text-align: center;"><u>C.A 69/2022 in O.A 339/2020</u></p> <p>Smt Manisha V. Mohite ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O on instructions from the Respondents submit that she is unable to get instructions as to when the meeting of the D.P.C for the post of Deputy Collector from the cadre of Tahsildar is going to be held. She further submits that the schedule of the meeting of the D.P.C is not yet received.</p> <p>3. We make it clear that is necessary on the part of the Respondents to comply with the order of this Tribunal dated 23.2.2021.</p> <p>4. Liberty is granted to the applicants to move in between if the D.P.C is going to be held.</p> <p>5. S.O to 16.11.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">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><u>13.10.2022</u></p> <p><u>O.A 405, 448, 4491 455 and 456/2022</u></p> <p>C.M Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Savita Suryavanshi, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The arguments are concluded. Learned counsel for the applicants still wants one more day for arguments, which we refused.</p> <p>3. Hence matter is closed for orders.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>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>Date : 13.10.2022</p> <p>O.A.No.1028 of 2022</p> <p>Dr. D R. ArsaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. A.M. Lonkar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents. 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 14.11.2022. 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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed. 8. Adjourned to 14.11.2022. To be tagged along with O.A.No.1009/2022. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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 style="text-align: center;"><u>13.10.2022</u></p> <p style="text-align: center;"><u>O.A 1136/2016 with M.A 23/2017</u></p> <p>N.A Khan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. After considering the defence of the Respondent-State, we are unable to find out which are the approved Institutes to conduct the examination of Urdu Shorthand and Urdu Typing and who are the approved Institutes to issue such Certificates to fulfill the eligibility criterion as mentioned in the Recruitment Rules for the post of Urdu Stenographer dated 18.4.1994.</p> <p>3. The Secretary, Minority Development Department is directed to file a short affidavit to that effect.</p> <p>4. S.O to 14.10.2022 at 2.30 pm.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="font-size: small;">Akn</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 1029 OF 2022**

DISTRICT : NASIK

Shri Prashant D. Pagar)...**Applicant**

Versus

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

Shri B.A Bandiwadekar, learned advocate for the Applicant.

Ms Archana B.K, learned Presenting Officer for the Respondents.

CORAM : Justice Mridula Bhatkar (Chairperson)

Mrs Medha Gadgil (Member) (A)

DATE : 13.10.2022

PER : Justice Mridula Bhatkar (Chairperson)

ORDER

1. The applicant, who aspires to the post of Deputy Director of Town Planning, Maharashtra Town Planning and Valuation Service, Group-A, challenges the list of non-eligible candidates qua the applicant, is to be quashed and set aside.


2. Learned counsel for the applicant submits that the applicant is shown as disqualified on the ground that he did not upload the necessary educational qualification and experience certificate as per clause 11.2.4 of the advertisement dated 28.1.2022, (Page 20). Learned counsel for the applicant has submitted that the interviews for the said post is fixed today and tomorrow. Learned counsel for the applicant further states that

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the applicant has submitted on-line application on 21.2.2022 and the applicant came to know about his disqualification on 7.10.2022 and the interviews for the same is going to held today and tomorrow, i.e. on 13.10.2022 and 14.10.2022. Learned counsel for the applicant therefore prays that as he has already uploaded the necessary Certificates and but the same could not have been uploaded due to some technical flaw, the applicant should be allowed to appear for the interview.

3. Learned counsel for the applicant further submits that immediately on 7.10.2022, the applicant sent email informing the Respondents that he possessed the necessary educational qualification and experience Certificate and they were sent again by attaching the same to the email. The Respondents informed the applicant that his email is forwarded for consideration to the concerned department. Again the applicant sent email to the Respondents on 12.10.2022, pointing out the same information and facts. Learned counsel for the applicant has submitted that the applicant has filed two applications for two separate posts advertised by the Respondents. While he is aggrieved for his disqualification for interview for one post as the Certificates are not uploaded, but the application in respect of the second post is uploaded and properly accepted. Learned counsel for the applicant further pointed out the list of non-eligible candidates which was published on 6.10.2022, in which there are two persons like him who are held disqualified for want of uploading of the necessary documents/certificates along with the application.

4. Learned P.O, opposes the Original Application and on instructions from Smt Dhanashree S. Kirtane, Section Officer, in the office of M.P.S.C, submits that nearly 82 applications are received by M.P.S.C and the documents/Certificates of all the 82



applicants were received except the documents/Certificates of the present applicant, as the applicant has not uploaded the necessary Certificates required to ascertain the eligibility and he is rightly disqualified from the process of selection.

5. It appears from clause 11.2.4 of the advertisement, that unless the documents are uploaded the application cannot be presented. However, in the present case, the application was not only presented, but accepted by the Computer and the payment against the said application was also accepted by M.P.S.C. Under such circumstanced, the possibility of technical flaw cannot be overruled. Therefore, in all fairness, we are of the view that the interim relief as prayed for is to be granted in favour of the applicant.

6. In view of the above, we direct the Respondent, M.P.S.C to allow the applicant to appear for the interview for the post of Deputy Director of Town Planning, Maharashtra Town Planning and Valuation Service, Group-A, going to be held on 13.10.2022 and 14.10.2022. The applicant is directed to produce all the necessary documents and Certificates at the time of interview. The interim relief granted will be subject to the outcome of the Original Application.

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

8. Issue notice before admission returnable on 10.11.2022.

9. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is



allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

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

13. S.O to 10.11.2022. Hamdast.

Sd/-

(**Medha Gadgil**)
Member (A)

Sd/-

(**Mridula Bhatkar, J.**)
Chairperson

Place : Mumbai

Date : 13.10.2022

Dictation taken by : A.K. Nair.