

**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 : 14.02.2022</p> <p align="center">O.A.No.343 of 2020 with O.A.344 of 2020</p> <p>J. R. GahaneApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed additional affidavit of the Applicant in both the Original Applications. Those are taken on record.</p> <p>3. Perusal of record reveals that O.A. No.343/2020 has been filed on 28.07.2020 for declaration to treat the period from 16.06.2015 to 27.11.2016 as leave on medical ground and to pay allowances for the said period. Whereas in O.A.No.344/2020 has been filed on 28.07.2020 challenging the suspension order dated 12.06.2019.</p> <p>4. Learned Counsel for the Applicant has pointed out that in the meantime, the Applicant stands retired on 30.09.2020 on attaining the age of superannuation during the period of suspension itself. But his retirement benefits are withheld.</p> <p>5. Learned Counsel for the Applicant further pointed out that as per communication by Commissioner, Integrated Child Development, Navi Mumbai, he has already sent letter on 15.10.2018 to Government for necessary orders in the matter of leave of the Applicant with recommendation that 284 Earned Leave and 300 Half Pay Leave were at his credit. Though the period of more than three years is over, the Government seems to have taken no action and in the meantime the Applicant is retired on superannuation.</p> <p align="right">[P.T.O.]</p>

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	<p>6. Learned Counsel for the Applicant further pointed on the basis of letter of Commissioner, Integrated Child Development that on 02.08.2021 he has sent letter to the Government that since the Applicant stands retired on 30.09.2020 initiation of D.E. is not feasible. As regard the criminal case, he stated that as per the report of Khalapur Police Station for want of evidence charge sheet was not filed.</p> <p>7. The Applicant was suspended in view of registration of arrest in Crime No.19/2018 registered with Police Station Khalapur, Dist. Raigad.</p> <p>8. Learned P.O. has tendered Government order dated 22.10.2021 which states that the Government has taken the decision to drop D.E. In the said letter, it is stated that learned Judicial Magistrate First Class, Khalapur has accepted 'A' summary for want of evidence.</p> <p>9. Thus, what transpires from the record and submissions advanced by learned Counsel for the Applicant as well as learned P.O. that now no criminal prosecution or D.E. is pending against the Applicant. Though he stands retired on 30.09.2020 his retiral benefits are withheld for want of appropriate orders of releasing benefits. It seems that no order has been passed about suspension period.</p> <p>10. Learned Counsel for the Applicant sought to contend that since no evidence is found against the Applicant to file charge sheet, his suspension will have to be said unjustified and he is entitled to pay and allowances of the suspension period.</p> <p>11. Indeed, it was for the Government to pass appropriate orders in view of subsequent development of dropping D.E. and submission of 'A' summary in Criminal Case. However, due to sheer lethargy and negligence, no such orders are passed till date.</p> <p>12. Learned P.O. is directed to take instructions from the Respondents and to apprise the Tribunal on next date so that O.A. can be disposed of with suitable directions.</p> <p>13. Hamdast granted.</p> <p>14. S.O. to 15.02.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.02.2022</p> <p align="center">O.A.No. 540 of 2021</p> <p>E. P. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. After arguments are heard, learned P.O. requested for permission to place on record the Minutes of Civil Services Board (CSB) in respect of transfer order dated 05.08.2021 issued by the Commissioner (Respondent No.3). 3. Indeed, the Respondent No.3 ought to have filed reply but the same is not filed. The reply has filed on behalf of Respondent No.1 only. 4. Allowed to file the Minutes of CSB on affidavit. It be taken on record. 5. Learned Counsel for the Applicant sought one day time to respond to the Minutes of CSB. 6. S.O. to 16.02.2022. <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 : 14.02.2022.</p> <p align="center">O.A.No.737 of 2020</p> <p>S. R. Gaud ...Applicant</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 D. B. Khaire, learned Spl. Counsel for the Respondents.</p> <p>2. Learned Counsel for the Applicant sought permission to file M.A. to amend O.A. to challenge the subsequent order dated 14.06.2021 whereby another period from 15.09.2020 to 08.11.2020 has been treated as break in service.</p> <p>3. Two weeks time is granted to take necessary steps.</p> <p>4. S.O. to 03.03.2022.</p> <p align="right">Sd/-</p> <p align="right">(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 : 14.02.2022</p> <p align="center">O.A.No.29 of 2022</p> <p>M. V. ShiraoApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Pooja Mankoji holding for Shri S. S. Dere, learned Counsel for the Applicant and Smt. Archana B. K. , learned Presenting Officer for the Respondents. 2. Learned Counsel for the Applicant has raised grievance that despite interim relief granted by this Tribunal on 18.01.2022, the Applicant is not allowed to join. 3. Learned P.O. is directed to see the order passed by this Tribunal ^{is} be implemented without fail. 4. On request of learned P.O., two weeks time is granted to file reply. 5. S.O. to 28.02.2022. <p align="right">Sd/-</p> <p align="right">(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 : 14.02.2022</p> <p align="center">O.A.No.84 of 2022</p> <p>S. A. MullaApplicant</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. The Applicant is overdue and made representations for his transfer in Satara District but it is not responded. On previous date, the directions were given to learned P.O. to apprise the Tribunal ^{as to whether} where the representations made by the Applicant can be considered in general transfer of 2022 or earlier.</p> <p>3. Today, learned P.O. submits that she has sent letter to the Respondents but has not received any instructions. She requested for one day time to take instructions on phone.</p> <p>4. S.O. to 15.02.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p>

vsm

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	<p>Date : 14.02.2022</p> <p>O.A.No.99 of 2021</p> <p>K. D. WadekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Smt. Punam Mahajan, learned Counsel for the Applicant is on leave note. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. The matter is adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 08.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 14.02.2022</p> <p align="center">O.A.No.179 of 2021</p> <p>R. A. MaratheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned Counsel for the Applicant has filed additional affidavit along with order dated 24.12.2021 to show that suspension of the Applicant is revoked and he is reinstated in service in different division. 3. Learned Counsel for the Applicant however sought to contend that he is challenging the legality of the suspension itself and wants the decision of the Tribunal on merit. 4. On request of learned Counsel for the Applicant, two weeks time is granted for hearing at the stage of admission. 5. S.O. to 07.03.2022. <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 14.02.2022</p> <p>O.A.No. 161 of 2021</p> <p>Mr S. R. Koli (through his legal heirs) Kokilaben Koli and Ors.Applicants</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. On request of learned Counsel for the Applicant as well as learned P.O., two weeks time is granted for final hearing.</p> <p>3. S.O. to 28.02.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 14.02.2022</p> <p align="center">O.A.No.765 of 2020</p> <p>T. P. Rathod & Ors.Applicants</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. Today, learned Counsel for the Applicants has filed Rejoinder. It is taken on record.</p> <p>3. This O.A. is kept along with O.A.No.31/2020 and 22/2021 since arising from joint inquiry. In O.A.No.22/2021, no reply is filed though enough time is granted. Hence, O.A.No.22/2021 shall proceed without affidavit in reply.</p> <p>4. All these Original Applications be kept for final hearing.</p> <p>5. S.O. to 02.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date: 14.02.2022</p> <p align="center">O.A. No.1001 of 2021</p> <p>Dr. U.S. GutteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for direction to the Respondents to pay salary from 08.04.2021 to 07.07.2021 along with interest.</p> <p>3. The perusal of record reveals that the Applicant was serving as Medical Officer, Yerwada Central Jail, Pune-6 but he was unilaterally relieved by Superintendent, Central Jail, Pune-6 on 07.04.2021 without awaiting for transfer order and subsequent posting by competent authority. He was not paid salary from 08.04.2021 to 07.07.2021.</p> <p>4. Presently the Applicant is posted and working as Medical Officer, ^{Mumbai} City Council Hospital, Primary Health Centre, Talegaon Dabhade, District Pune.</p> <p>5. Today learned P.O. has tendered order dated 11.02.2022 whereby Superintendent, Yerwada, Central Jail has directed Chief Medical Officer, ^{Mumbai} City Council Hospital, Primary Health Centre, Talegaon Dabhade, District Pune for releasing pay and allowances for the period from 08.04.2021 to 07.07.2021 which was not earlier paid to the Applicant.</p> <p>6. Thus, the grievance of withholding of pay and allowances is redressed in view of the order tendered by learned P.O. today. Letter is taken on record and marked by letter 'X'.</p> <p align="right">[P.T.O.]</p>

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	<p>7. In view of above, O.A. is disposed with direction that the pay and allowance for the period from 08.04.2021 to 07.07.2021 to be paid within two weeks from today without fail.</p> <p>8. O.A. is disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center"><u>M.A. No.84 of 2022 in O.A. No.146 of 2022</u></p> <p>T.R. Andhale & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief 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/- (Medha Gadgil) Member (A) 14.2.2022 (sgj) </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson 14.2.2022 </p>

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	<p align="center"><u>O.A. No.146 of 2022</u></p> <p>T.R. Andhale & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 17.2.2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 14.2.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 14.2.2022</p>

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	<p align="center"><u>M.A. No.83 of 2022 in O.A. No.145 of 2022</u></p> <p>A.D. Nazirkar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief 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/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.2.2022 14.2.2022</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.145 of 2022</u></p> <p>A.D. Nazirkar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 17.2.2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center"> Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.2.2022 14.2.2022 (sgj) </p>

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	<p align="center"><u>O.A. No.144 of 2022</u></p> <p>A.H. Daphal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, 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 17.2.2022. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center">Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.2.2022 14.2.2022</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.140 of 2022</u></p> <p>V.P. Maru ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Shirke, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Respondent No.4 to be served again. Affidavit of service of respondent no.4 is to be produced.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 18.2.2022. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 14.2.2022</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 14.2.2022</p> <p>(sgj)</p>

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	<p><u>O.A. No.85 of 2022</u></p>
	<p>R.N. Jadhav (Kumbhar) ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p>
	<p>Heard Shri N.V. Gaware, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p>
	<p>2. Ld. PO states that copy of OA is not served. Ld. Advocate to serve the same.</p>
	<p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p>
	<p>4. Issue notice before admission returnable on 21.3.2022. The respondents are directed to file reply.</p>
	<p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p>
	<p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>
	<p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p>
	<p>Sd/- (Medha Gadgil) Member (A) 14.2.2022</p>
	<p>Sd/- (Mridula Bhatkar, J.) Chairperson 14.2.2022</p>
	<p>(sgj)</p>

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	<p><u>14.02.2022</u></p> <p align="center"><u>O.A 325/2018 with O.A 13 /2020</u></p> <p>Shri A.M Jadhao Shri R.S Pawar ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 & 2 and Shri C.T Chandratre, learned counsel for Respondent no. 3 in O.A 13/2020.</p> <p>2. Learned C.P.O states that MPSC has filed further affidavit in reply and also the documents.</p> <p>3. Mr Chandratre, learned counsel for the Respondent no.3 seeks one week time to file reply.</p> <p>4. Learned counsel Mr Lonkar seeks two weeks to file composite rejoinder.</p> <p>5. S.O to 9.3.2022 for final hearing.</p> <p align="center">Sd/- (Medha/Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>14.02.2022</u></p> <p align="center"><u>O.A 309, 314, 315 & 316/2020</u></p> <p>S.V Raut & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 11.4.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p><u>14.02.2022</u></p> <p align="center"><u>O.A 34/2022</u></p> <p>Shri K.A Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.A Shinde, applicant in person and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O is directed to file short affidavit in reply before the next date.</p> <p>3. S.O to 18.2.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>14.02.2022</u></p> <p align="center"><u>O.A 842/2021</u></p> <p>R.B Sawant ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O states that affidavit in reply will be filed during the course of the day.</p> <p>3. S.O to 16.3.2022 with liberty to file affidavit in rejoinder, if any.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p><u>14.02.2022</u></p> <p align="center"><u>O.A 193/2020</u></p> <p>Shri S.D Jaybhaye ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit. Place for final hearing on 11.4.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>14.02.2022</u></p> <p align="center"><u>O.A 691/2021</u></p> <p>Dr S.B Chavan & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O states that affidavit in reply has already been filed.</p> <p>3. S.O to 16.3.2022 with liberty to file affidavit in rejoinder, if any.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>14.02.2022</u></p> <p><u>M.A 57/2022 in O.A 970/2021 with M.A 58/2022 in O.A 971/2021 with M.A 59/2022 in O.A 972/2021.</u></p> <p>J.U Rathod A.B Patil P.V Waghmare ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P Sangvikar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. O.A Nos 970/3021, 971/2021 & 972/2021 was already disposed of by this Tribunal vide order dated 17.12.2021.</p> <p>3. The present Misc Applications have been filed by the applicants for continuation of the interim protection granted to the applicants vide order dated 17.12.2021 in the above Original Applications.</p> <p>4. We make it clear that by order dated 17.12.2021 we granted interim relief for one week to enable the applicants to approach the Appellate Authority.</p> <p>5. Learned counsel for the applicants informs that the Appellate Authority by order dated 25.1.2022 has dismissed the appeal of all the applicants and upheld the decision of cancellation of their respective Sports Certificate.</p> <p>6. We make it clear that the present Misc Applications are not maintainable at all and when the Original Applications are disposed of earlier, the proper Forum for the applicants to claim any relief is the second Appellate Authority.</p> <p>7. In view of the above all the Misc Applications are disposed of.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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M.A. No.591 of 2021 in O.A. No.1016 of 2021

S.R. Kasar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

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

2. The applicant challenges order dated 14.9.2021 of Internal Complaints Committee which was formed under Section 9(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. He also challenges communication dated 18.11.2021. However, said communication is not supplied to him by the respondents though he has applied under RTI.

3. We need the affidavit in reply of the respondents to consider the interim relief as prayed by the applicant in OA and also to decide the MA which is preferred for interim relief.

4. The applicant is transferred to Wardha and Ld. Advocate informs that applicant had joined duties at Wardha on 7.2.2022.

5. S.O. to 28.2.2022.

Sd/-

Sd/-

(Medha Gadgil)

Member (A)

14.2.2022

(Mridula Bhatkar, J.)

Chairperson

14.2.2022

(sgj)

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	<p align="center"><u>C.A. No.41 of 2021 in O.A. No.1052 of 2016</u></p> <p>V.S. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.S. Jadhav holding for Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that writ petition is still pending and it is informed that it is part-heard.</p> <p>3. S.O. to 14.3.2022.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.2.2022 14.2.2022</p> <p>(sgj)</p>

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	<p>Date: 14.02.2022</p> <p align="center">O.A. No.131 of 2022</p> <p>P.P. MahajanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Shraddha Raut, learned Advocate instructed by Shri A.S. Singh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 11.08.2021 whereby he came to be suspended in view of registration of crime under Prevention of Corruption Act.</p> <p>3. Learned Advocate for the Applicant submits that Applicant is subjected to prolong suspension ^{beyond} bound 90 days and it is unsustainable in law.</p> <p>4. On perusal of record reveals that review was taken but competent authority decided to continue the suspension.</p> <p>5. Issue notice before admission returnable on 07.03.2022.</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 Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</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>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<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. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>11. S.O. to 07.03.2022.</p> <p style="text-align: center;">^ Sd/- v~ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p align="center">O.A. No.123 of 2022</p> <p>S.B. KadamApplicant 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 for the Respondents.</p> <p>2. The Applicant has challenged recovery order dated 12.08.2021 whereby sum of Rs.4,79,954/- (Four Lakhs Seventy Nine Thousand Nine Hundred and Fifty Four Only) is sought to be recovered after his retirement and also challenged order of downgrading of his pension by re-fixing his pay.</p> <p>3. The Applicant stands retired as Head Constable w.e.f. 31.12.2020 whereas recovery order has been issued on 12.08.2021 after retirement. He belongs to Group 'C' employee.</p> <p>4. As such, <i>prima-facie</i> recovery is impermissible in view of decision of Hon'ble Supreme Court in (2015) 4 SCC 334 (State of Punjab and others Vs. Rafiq Masih (White Washer)).</p> <p>5. In view of above, interim relief in terms of prayer clause 15(b) is granted.</p> <p>6. Issue notice before admission returnable on 14.03.2022.</p> <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would 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. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>12. S.O. to 14.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p align="center">O.A. No.128 of 2022</p> <p>M.N. KatteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.D. Gugale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged recovery order dated 11.02.2021 whereby sum of Rs.2,73,600/- (Two Lakhs Seventy Three Thousand Six Hundred Only) is sought to be recovered on the allegation that he sublet service quarter to somebody else, This order of recovery has been issued after giving Show Cause Notice.</p> <p>3. Issue notice before admission returnable on 14.03.2022.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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 Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p 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>8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 14.03.2022.</p> <p style="text-align: right;">W Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p align="center">O.A. No.133 of 2022</p> <p>S.P. BombeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandrate, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order dated 18.01.2022 whereby the Applicant is informed that his representation dated 17.08.2021 will be considered in general Transfer of 2022. 3. The Applicant grievance is that his Juniors were sent on deputation as Circle Officer but he is not considered for transfer as Circle Officer. 4. Issue notice before admission returnable on 14.03.2022. 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall 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 Original Application. 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.

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	<p>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. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>10. S.O. to 14.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p>O.A. No.124 of 2022</p> <p>S.B. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant one week time is granted to satisfy Tribunal that how O.A. is within limitation since order under challenge is dated 13.02.2019.</p> <p>3. S.O. to 22.02.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p align="center">O.A. No.155 of 2019</p> <p>M.K. AtkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that ^{Copies} copy of deposition of witness along with Affidavit will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 01.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p style="text-align: center;">O.A. No.30 of 2022</p> <p>D.V. WadhelApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 28.02.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p align="center">O.A. No.20 of 2022</p> <p>J.R. ChhapriyaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. One week time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 21.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p>O.A. No.1003 of 2021</p> <p>E.A. PardhiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 28.02.2022.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.02.2022</p> <p style="text-align: center;">O.A. No.991 of 2021</p> <p>A.S. GhodakeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.G. Jadhav, learned Advocate holding for Shri R.G. Panchal, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today O.A. is for filing Rejoinder but the same is not filed.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 11.03.2022.</p> <p style="text-align: right;"> [^] Sd/- v (A.P. Kurhekar) Member (J) </p> <p style="text-align: center;">NMN</p>

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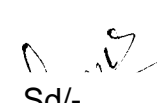
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.02.2022</p> <p style="text-align: center;">O.A. No.921 of 2021</p> <p>R.P. MhaskarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav 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 short Affidavit on behalf of Respondent No.2 on the point of maintainability of O.A.</p> <p>3. Adjourned for hearing at the stage of admission on the point of maintainability.</p> <p>4. S.O. to 03.03.2022.</p> <div style="text-align: right; margin-top: 10px;">  Sd/- (A.P. Kurhekar) Member (J) </div> <p style="text-align: center; margin-top: 20px;">NMN</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>Date: 14.02.2022</p> <p>O.A. No.920 of 2021</p> <p>A.B. ChavanApplicant 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. Three months time given in O.A. No.919/2021 for deciding appeal is not yet over. It will be over by 25.02.2022.</p> <p>3. Learned P.O. is therefore directed to take instruction about the status of appeal by next date and appraise the Tribunal. Apart, learned P.O.is at liberty to file Reply on merit by next date.</p> <p>4. S.O. to 03.03.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>