

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

Tribunal's orders

Date : 14.02.2023

O.A.No.144/2023

S.D. KokitkarApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant prays to hold and declare the impugned charge memo dated 15.02.2021 issued by Respondent No.2 as unconstitutional, illegal and bad in law and the same be quashed and set aside with directions to the Respondents to release all pending retiral dues payable to the Applicant as per law.

3. Learned Advocate has submitted that Applicant retired on 31.05.2017 and date of institution of D.E. vide charge memo dated 15.02.2021 in respect of the events which have taken place prior to 15.02.2017, cannot be considered for the purpose of Departmental Enquiry. He relies on sub-rule (3) of Rule 27 of the Maharashtra Civil Services (Pension) Rules,1985, which reads as under :

27. Right of Government to withhold or withdraw pension.

(3) No judicial proceedings, if not instituted while the Government servant was in service, whether before his retirement or during his re-employment, shall be instituted in respect of a cause of action which arose or in respect of any event which took place, more than four years before such institution.

4. Learned P.O. seeks time to file affidavit in reply.

5. Adjourned to 21.02.2023. For hearing on Interim relief. To be shown under the caption "For Urgent Admission".

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.185 of 2023

D. T. Katke)...Applicant

Versus

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

Ms. S. Talekar, Counsel for the Applicant

Smt. Kranti Gaikwad., Presenting Officer for the Respondent No.1 & 3.

Smt. K. N. Solunke, Counsel for Respondent No.2.

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 14.02.2023.

ORDER

1. Heard Ms. S. Talekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos. 1 & 3 and Ms K. N. Solunke, learned Counsel for the Respondent No.2 -MMRDA.
2. The Applicant has challenged the order dated 08.02.2023 passed by the Chief Metropolitan Commissioner, MMRDA, Mumbai whereby deputation of the Applicant has been abruptly terminated and he was sent back to his parent department namely Revenue & Forest Department.
3. The Applicant is serving in the cadre of Deputy Collector and his parent department is Respondent No.1 -Revenue & Forest Department. He was sent on deputation with Respondent No.3- Urban Development Department and deputed in MMRDA by order dated 25.02.2019 initially for one year. Later, the Respondent No.3 by order dated 15.12.2020, terminated his deputation and posted him as Deputy Collector, Land Acquisition, Yavatmal which was challenged in O.A.No.768/2020. The Tribunal by order dated 11.06.2021 allowed the O.A. and order dated

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15.12.2020 was quashed and set aside with directions to Revenue & Forest Department to repost the Applicant on the post he was shifted from within three weeks. Accordingly, he was reposted though under the nomenclature of reappointment.

4. It is on the above background, the Applicant continued in MMRDA on deputation. Now by impugned order, the Metropolitan Commissioner, MMRDA repatriated the services of the Applicant to Revenue & Forest Department stating that Applicant has already completed three years deputation period on 25.02.2022 and therefore his repatriation is necessary. He is unilaterally relieved on 08.02.2023. No further order of his posting is forthcoming. Thus in fact, the Respondent No.2 unilaterally repatriated the Applicant without consulting or without concurrence of Applicant's parent department i.e. Revenue & Forest Department.

5. The terms and conditions of deputation are Governed by G.R. dated 16.02.2018 which *inter alia* provides that Foreign Department can send employee back to parent department for good justifiable reasons with three months' notice. However, in case of negligence in duties, misappropriation etc. deputation period can be curtailed immediately.

6. However, in present case, no such reason attributing lapses or misappropriation to the Applicant is mentioned in impugned order. He is repatriated only on the ground that he has already completed three years tenure on 25.02.2022 but he was not relived after completion of 3 years deputation and continued with MMRDA. In such situation, three months' notice was prima-facie required in terms of G.R. dated 16.02.2018 which is completely missing.

7. That apart, it was for Urban Development Department to take the decision about repatriation of the Applicant in observance of the rules and MMRDA unilaterally cannot repatriate or curtail the deputation period in such manner. Prima facie impugned order is not sustainable.

8. In view of above, I am satisfied that prima-facie case is made out to grant interim relief.

9. Interim relief as prayed in Para No.7(b) is granted.

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

11. Issue notice before admission returnable on 14.03.2023.

12. 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.

13. 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.

14. 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.

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

16. S.O. to 14.03.2023. Steno copy granted.

A. P. Kurhekar
Sd/-

(A. P. KURHEKAR)
MEMBER (J)

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 : 14.02.2023</p> <p style="text-align: center;">O.A.No.768 of 2022 with O.A. No.28 of 2023</p> <p>K. L. VartakApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed short Affidavit on behalf of Respondent No.3. It is taken on record.</p> <p>3. Since the Applicant and his Counsel are absent, learned P.O. is directed to serve the copy of Affidavit filed today to the Applicant or his Advocate and also shall intimate the next date of hearing.</p> <p>4. S.O. to 24.02.2023.</p> <p style="text-align: right; margin-right: 100px;"> 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 : 14.02.2023</p> <p>O.A.No.1260 of 2022</p> <p>V. N. ThasaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent Nos.1 to 3 and Shri Shete holding for Shri P. G. Lad, learned Counsel for Respondent No..4.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p>3. On request of learned Counsel for Respondent No.4, two weeks time is granted to file reply.</p> <p>4. S.O. to 28.02.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.179 of 2023

S. S. Murudkar)...Applicant

Versus

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

Shri H. M. Inamdar, Counsel for the Applicant

Smt. Kranti Gaikwad., Presenting Officer for the Respondent No.1 & 3.

Smt. K. N. Solunke, Counsel for Respondent No.2.

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 14.02.2023.

ORDER

1. Heard Shri H. M. Inamdar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant has challenged the transfer order dated 07.02.2023 whereby he is transferred mid-term and mid-tenure exercising Section 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Act 2005') and sought interim relief. In his place Respondent No.2 is transferred by same order.
3. The Applicant is serving in the cadre of Deputy Engineer and his parent department is Respondent No.1- Public Works Department. By order dated 23.06.2022 on promotion, he was posted as Deputy Engineer with Maharashtra Film, Stage and Cultural Development Corporation Ltd., Goregaon, Mumbai. Accordingly, he joined there. In terms of provisions

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of 'Act 2005', he was entitled to three years tenure. However, the Respondent No.1 by order dated 07.02.2023 transferred him mid-term and mid-tenure to Kurla in Chembur, P.W.D. Division on vacant post.

4. Learned P.O. opposes interim relief *inter-alia* contending that the Civil Services Board has approved the transfer and the competent authority i.e. Hon'ble Chief Minister also approved the same. He has also tendered the file for perusal.

5. Whereas, learned Counsel for the Applicant submits that all this exercise has been done only to accommodate the Respondent No.2- Shri Vijay Bapat in his place and sought interim relief.

6. The perusal of file tendered by learned P.O. reveals that only reason mentioned in file noting is that 'The work of Applicant is slow'. There is nothing on record to show that before impugned transfer order any such memo or show cause notices were given to the Applicant attributing slow work for incapacity. Indeed, the file discloses some damning revelations. There are letters and recommendations of Politicians/Ministers for appointment of Respondent No.2 in place of the Applicant. There is also request letter of Respondent No.2 dated 12.01.2023 accompanied by letter of Minister of the Department. Thus, apparently only to accommodate the Respondent No.2, the Applicant is displaced mid-term and mid-tenure. Mid-tenure transfer is permissible in special case with ⁴ reasons to be recorded in writing as contemplated under Section 4(5) of 'Act 2005' and no such special case is made out. If the Applicant was really under performing then it could not be the ground for mid-term and mid-tenure transfer. The departments ought to have taken departmental action if there are any such inefficiency otherwise it would amount to clock on punishment.

7. For the aforesaid reasons, I am satisfied that *prima-facie* case is made out to stay the transfer order. Accordingly, interim relief as prayed in Prayer Clause 10(a) is granted.

8. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
9. Issue notice before admission returnable on 15.03.2023.
10. 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.
11. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
12. 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.
13. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.
14. S.O. to 15.03.2023. Steno copy granted.

Sd/-

(A. P. KURHEKAR)
MEMBER (J)


**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">Date: 14.02.2023</p> <p align="center">O.A. No.452 of 2022</p> <p>D.A. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today in this matter O.A. learned C.P.O. has filed Affidavit-in-Reply on behalf of Shri Dilip Arjun Waghe, Secretary, MPSC dated 14.02.2023 and it is mentioned that if the Applicant is granted relief then the candidate in the revised list namely Shri Barge Arjun Dattatraya will go out. Learned C.P.O. submits that Shri Barge Arjun Dattatraya has not joined and did not go for medical also. Learned C.P.O. submits that still the Applicant cannot be replaced in the place of Shri Barge Arjun Dattatraya.</p> <p>3. Learned Advocate for the Applicant has also filed Affidavit-in-Reply dated 14.02.2023 in that Affidavit as per learned Advocate for the Applicant name of the Applicant at Sr. No.387 Mr. Dudhal Atul Trimbak is the last candidate who is recommended from the open general category.</p> <p>4. Learned Advocate for the Applicant seeks permission to make both party Respondents. MPSC to furnish address to the learned Advocate for the Applicant.</p> <p>5. S.O. to 29.03.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/-  (Mridula R. Bhatkar, J.) Chairperson</p> <p align="center">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.....)

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Date : 14.02.2023 Tribunal's orders C.A.No.25/2022 in O.A.No.503/2020 |
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V.S. PandhareApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned P.O. has submitted that the applicant has received payment on 02.01.2023. He has placed on record letter dated 10.02.2023. Learned P.O. has further submitted that pursuant to order dated 06.12.2021 passed in O.A.No.503/2020 wherein the applicant is made entitled for consequently service benefits of the suspension period. The said amount has been paid to the applicant on 02.01.2023. Learned P.O. has submitted that as far as completion of D.E. is concerned letter was sent to the M.P.S.C. for confirmation in the month of December, 2022. M.P.S.C. raised certain queries on 10.02.2023. He submits that D.E. will be completed within a period of two weeks from today.

3. Learned Advocate to verify the same.

4. Adjourned to 28.02.2023.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p>Date : 14.02.2023</p> <p>C.A.No.13/2023 in O.A.No.961/2022</p> <p>J.R. SolankiApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that Order dated 18.10.2022 is not been complied with.</p> <p>3. Learned P.O. submits that the Government is in the process of complying the order.</p> <p>4. Adjourned to 28.02.2023.</p> <p>Sd/- _____ Sd/- _____ (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.....)

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

Date : 14.02.2023

**C.A.No.4/2023 in O.A.No.1018/2019 with
M.A.No.561/2019**

G.F. PatilApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. We direct the Government to comply the orders passed by this Tribunal.

3. Learned P.O. submits that in similar matter the Respondent-State has challenged the order passed in similar O.A. and the Hon'ble High Court has adjourned the Writ Petition to 05.04.2023.

3. In view that the issue involved is same, Adjourned to 09.03.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders Date : 14.02.2023 |
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**C.A.No.3/2023 in O.A.No.950/2019 with
M.A.No.516/2019**

S.K. InamkeApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. We direct the Government to comply the orders passed by this Tribunal.

3. Learned P.O. submits that in similar matter the Respondent-State has challenged the order passed in similar O.A. and the Hon'ble High Court has adjourned the Writ Petition to 05.04.2023.

3. In view that the issue involved is same, Adjourned to 09.03.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 14.02.2023

**C.A.No.27/2022 in O.A.No.645/2017 with
O.A.NO.509/2020**

M.A. DamaleApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. submits that the Department has approached Hon'ble High Court and matter is listed on 22.02.2023 and the Hon'ble High Court has directed not to proceed with the Contempt

3. Adjourned to 28.03.2023.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 14.02.2023</p> <p>M.A.No.148/2022 in O.A.No.879/2021</p> <p>R.T. JagtapApplicant 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. Last chance granted to learned C.P.O. to file reply.</p> <p>3. Adjourned to 21.02.2023.</p> <p>Sd/- _____ Sd/- _____ (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 : 14.02.2023</p> <p>C.A.No.69/2022 in O.A.No.339/2020</p> <p>M.V. MohiteApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. V.K. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. has submitted that she has been directed to appear in this case and she seeks one week time. Affidavit in-reply is filed.</p> <p>3. Adjourned to 21.02.2023.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p style="text-align: center;">Sd/-</p> <p>(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.....)

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Date : 14.02.2023

C.A.No.54/2022 in O.A.No.248/2014

I.S. MulgaonkarApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. In view that the order passed in O.A.No.248/2014 is challenged before the Hon'ble High Court, C.A. is adjourned to 28.03.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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| | <p align="center"><u>14.02.2023</u></p> <p align="center"><u>O.A 263/2022</u></p> <p>Shri N.D Raut ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Karan Gajra holding for Shri A.A Desai, 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 the present Original Application pertains to the regularization of services of the applicant, which is under process and seeks three weeks' time.</p> <p>3. S.O to 9.3.2023.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) ✓ Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p align="center"><u>14.02.2023</u></p> <p align="center"><u>O.A 6/2023</u></p> <p>Shri S.Y Shinde & Anr ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.V Waghmare, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants pray that the Respondents be directed to issue the appointment orders as per the recommendation letter dated 13.6.2022.</p> <p>3. Learned counsel for the applicants submit that the applicants have applied under the category of S.E.B.C and Physically Handicapped persons. They were given the benefits of E.W.S earlier and subsequently on account of the order passed by this Tribunal dated 2.2.2023 in O.A 280/22 and ors, the benefit of E.W.S reservation pending selection process of the year 2019 was quashed and set aside.</p> <p>4. Learned counsel for the applicants pray that if the candidate falling in his category, i.e., physically handicapped, Group-B, Assistant Engineer, Grade-II in the Water Resources Department have not joined or found disqualified, subsequently these two applicants can be accommodated as they were earlier recommended from, the E.W.S handicapped as they were meritorious otherwise.</p> <p>5. We direct Respondent-M.P.S.C to verify the position meri-wise.</p> <p>6. S.O to 22.2.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p align="center"><u>14.02.2023</u></p> <p align="center"><u>O.A 1264/2022</u></p> <p>Shri R.B Kale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Trunal Tonape with Ms Nikita Anandache, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant prays that the order dated 10.10.2022 passed by Respondent no. 1, MPSC, permanently disqualifying the applicant from appearing in the exams conducted by MPSC be quashed and set aside and further the applicant be granted permission to fill the forms of various exams conducted by M.P.S.C.</p> <p>3. The applicant has submitted apology letter dated 14.2.2023 addressed to the Secretary, M.P.S.C. The same is taken on record and marked as Exh. 'A'.</p> <p>4. Learned C.P.O relies on the judgment of the Hon'ble Bombay High Court, Aurangabad Bench dated 19.9.2022 in W.P 9437/2022, Vitthal B. Chavan Vs. The Maharashtra Public Service Commission.</p> <p>5. The applicant has only one chance to appear in this particular examination and thereafter he will be age barred. Further the applicant was barred from appearing in five examinations conducted by M.P.S.C and that he has not used any unparliamentary language.</p> <p>6. However, M.P.S.C may consider the apology letter written by the applicant. Meanwhile pendency of the matter will not come in the way of M.P.S.C in giving second thought to apology letter dated 14.2.2023.</p> <p>7. S.O to 17.2.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p> |

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

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| | <p style="text-align: center;"><u>14.02.2023</u></p> <p style="text-align: center;"><u>M.A 43/2023 in O.A 186/2018</u></p> <p>Pathbandhare Bintari Sandesh Yantrachalak Karmachari Sanghatana Maharashtra State ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Shashank Shubham holding for Shri A.U Patil, learned advocate for the applicant and Ms Swati Manchear, learned C.P.O for the Respondents.</p> <p>2. The present Misc Application is filed to amend the Original Application in terms of Schedule of Amendment as per Annexure A-2 by adding 47 members.</p> <p>3. For the reasons stated therein the Misc Application seeking amendment is allowed. Amendment to be carried out and copy to be served on the Respondents.</p> <p>4. O.A 186/2018 to be placed on Board on 9.3.2023.</p> <div style="display: flex; justify-content: space-around; 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**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| | |
|--|--|
| <p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p> | <p style="text-align: center;">Tribunal's orders Date : 14.02.2023</p> |
| | <p style="text-align: center;">C.A.No.39/2019 in O.A.No.216/2016</p> <p>A.P. CharateApplicant 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. Learned P.O. submits that the Respondent-State has challenged the order passed in O.A.No.216/2016 before the Hon'ble High Court vide Writ Petition No.7879/2019 and the Hon'ble High Court has directed not to proceed with the Contempt.</p> <p>3. Adjourned to 11.04.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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.

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| | <p><u>14.02.2023</u></p> <p align="center"><u>M.A 52/2023 in O.A 631/2018</u></p> <p>Shri R.M Pandhare & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks to amend the Original Application by adding applicants in the array of the Original Application.</p> <p>3. Misc Application seeking amendment is allowed. Amendment to be carried out within a week and copy to be served on the Respondents.</p> <p>4. O.A 6 31/2018 to be placed on Board on 14.3.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</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 |
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| | <p>Date : 14.02.2023</p> <p>O.A.No.386/2022</p> <p>R.P. SatputeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant was reverted from the post of Superintendent to the post of First Clerk.</p> <p>3. Learned P.O. is directed to produce the copy of revised seniority list as prepared by the Superintendent Engineer, Pune Circle</p> <p>4. Adjourned to 20.02.2023. HOB.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 14.02.2023</p> <p>O.A.No.187/2021</p> <p>D.N. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. D.B. Khaire, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant joined as Chowkidar on 01.07.1986. He was promoted as Mistry on 20.02.1989. Thereafter the applicant was sent for training for the post of Civil Engineering Assistant during the period from 02.07.1990 to 30.11.1990 (5 months). He was not absorbed as CEA and hence continued to work as Mistry till 2002. According to the Department the applicant was declared as surplus on 24.04.2002 on the post of Mistry. Therefore he was absorbed as Measurer on 24.04.2002. Thereafter he was making application. He relied on the earlier O.A.No.649/2016 filed by the applicant seeking directions against the Respondents for absorption in the cadre of CEA. The said O.A. was filed jointly. The Tribunal has passed order dated 22.01.2018 in O.A.No.649/2016.</p> <p>3. In the order dated 30.11.2022 query was made to the learned P.O., which reads as follows :</p> <p style="padding-left: 40px;"><i>a) How many employees from the cadre of these 13 cadres which are mentioned in the G.R. dated 31.01.1989 were absorbed in the cadre of Civil Engineering Assistant."</i> <i>Deputy Secretary is also directed to consider the letter dated 10.09.2020 and the reasons stated therein by the Section Officer.</i></p> <p>4. Learned P.O. relies on the affidavit-in-reply dated 12.01.2023 of Dr. Sudin Gaikwad, Joint Secretary to Government, Water Resources Department, Mantralaya.</p> <p>5. Learned Advocate seeks time to file rejoinder stating prayers in O.A.No.649/2016</p> <p>6. Adjourned to 15.02.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p style="text-align: center;">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 |
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| | <p>Date : 14.02.2023</p> <p>O.A.No.61/2023</p> <p>K.M. DadasApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate holding for Mr. L.S. Deshmukh, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Suo moto taken on board.</p> <p>3. Adjourned to 15.02.2023.</p> <p>Sd/- _____ Sd/- _____ (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 _____

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| | <p>Date : 14.02.2023</p> <p align="center">O.A.No.1280 of 2022</p> <p>P. S. KaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of Respondent No.2. It is taken on record. No separate reply is filed on behalf of Respondent Nos.1 and 3.</p> <p>3. On request of learned Counsel for the Applicant, one week time is granted to file Rejoinder.</p> <p>4. S.O. to 22.02.2023.</p> <p align="right">vsm</p> <p 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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Original Application No. _____ of 20 _____

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| | <p>Date : 14.02.2023</p> <p align="center">O.A.No.1291 of 2022</p> <p>K. A. H. MehviApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted to file reply.</p> <p>3. S.O. to 28.02.2023.</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 _____

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Original Application No. _____ of 20 _____

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| | <p>Date : 14.02.2023</p> <p align="center">O.A.No.65 of 2023</p> <p>I. J. AswarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant, Ms. S. P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 and Shri A. B. Moon, learned Counsel for Respondent No.2</p> <p>2. Today, learned Counsel for the Respondent No.2 has filed Affidavit in Reply. It is taken on record.</p> <p>3. On request of learned P.O., two weeks' time is granted to file reply.</p> <p>4. S.O. to 03.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 14.02.2023</p> <p align="center">O.A.No.51 of 2023</p> <p>A. K. BhosleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 to 3. It is taken on record. No separate reply is filed on behalf of Respondent No.4.</p> <p>3. O.A. be kept for hearing.</p> <p>4. S.O. to 08.03.2023.</p> <p align="right">Sd/- w (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

Date : 14.02.2023

M. A. No.104/2023 in O.A.No.711 of 2020 With
M.A.No. 105 of 2023 in O. A. No.712 of 2020

R. K. Kudtarkar & Ors.

S. V. Kolvankar & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Pooja Mankoji, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. These Misc. Applications are filed for amendment to Original Applications.
3. One week time is granted to learned P.O.to file reply to M.A.
4. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
5. Issue notice before admission returnable on 22.02.2023
6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
10. S.O. to 22.02.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

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

Tribunal's orders

Date : 14.02.2023

O. A. No.151 of 2023 with O.A.No.155 of 2023

H. C. Dasade & Ors

N. B. Waghela

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri S. M. Kakade and Shri A. V. Bandiwadekar, learned Counsels for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicants have raised the grievance of non-inclusion of their names in list dated 12.01.2023 published by the Respondent No.2- Additional Director General of Police, SRPF, Mumbai for transfer in District Police Force. The Applicants contend that they have completed 12 years service in SRPF and are eligible for transfer in District Police Force as per the options given by them. The Respondent No.2 had published the list of 1242 Police Constables on 12.01.2023 accepting their request for transfer to District Police Force. However, the Applicants name does not figured in the said list.

3. It appears that whenever there is recruitment in District Police Force, 10% posts were reserved for transfer to District Police Force from SRPF who have completed 12 years services in SRPF. The seniority list is required to be maintained by the Respondent No.2 and on the basis of which transfers are to be made.

4. In view of above, learned P.O. is directed to take instructions from the Respondent No.2 to apprise the Tribunal as to why names of the Applicants are not figured in the list dated 12.01.2023.

5. Steno copy allowed.

6. S.O. to 15.02.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 14.02.2023</p> <p align="center">M. A. No.86 of 2023 in O.A.No.151 of 2023</p> <p>H. C. Dasade & Ors.Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. M. Kakade, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.</p> <p>5. M. A. No.86 /2023 is allowed. No order as to costs.</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 |
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| | <p>Date : 14.02.2023</p> <p>O.A.No.178 of 2023</p> <p>S. R. PawarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. A. Gharte, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged the suspension order dated 20.08.2022 whereby he is suspended in view of registration of crime under the provisions of Prevention of Corruption Act, 1988. 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 14.03.2023. 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 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. 9. S.O. to 14.03.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> |

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| | <p>Date : 14.02.2023</p> <p>M. A. No.100 of 2023 in O.A.No.102 of 2023</p> <p>Dr. P. R. DharmadhikariApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. B. Gaikwad, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. This M.A. is filed to condone the delay of 10 months and 14 months caused in filing O.A. challenging order of transfer. 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 14.03.2023. 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. 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 Original-/Miscellaneous Application shall stand dismissed. 9. S.O. to 14.03.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>Date : 14.02.2023</p> <p align="center">O.A.No.1265 of 2022</p> <p>L. L. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P. Sarvankar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. When the matter is taken up for admission, it is transpired that the deceased Government servant was Zilla Parishad employee. It being so, the Tribunal has no jurisdiction to entertain the O.A. filed for compassionate appointment. 3. Learned Counsel for the Applicant sought permission to withdraw the O.A. with liberty to avail appropriate legal remedy. 4. Allowed to withdraw the O.A. with liberty to avail remedy as may be permissible in law. 5. O.A. is disposed of as withdrawn with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |