

**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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Date : 14.06.2023

O.A.No.274 of 2023

R. B. DongreApplicant

Versus

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

1. Heard Shri A. V. Bandiwadkar, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent and Smt. Varsha Gangawane holding for Shri P. Sonawane, learned Counsel for the Respondent No.2.

2. Today, learned Counsel for the Respondent No.2 has filed Affidavit in Reply. It is taken on record.

3. Learned Counsel for the Applicant has also filed Affidavit in Rejoinder. It is taken on record.

4. O.A. be kept for hearing at the stage of admission.

5. S.O. to 03.07.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm


**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 : 14.06.2023</p> <p align="center">O.A.No.641 of 2023</p> <p>Shri S. S. RawleApplicant</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. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. As per order passed by the Tribunal on 13.06.2023 (yesterday), learned P.O. was directed to take instructions from the Government (Respondent No.1) as to why no decision is taken in the D.E. though the Enquiry Officer has submitted negative report on 16.03.2016.</p> <p>3. All that learned P.O. submits that she has contacted the department but she is not getting any specific instructions. It is really unfortunate and disgusting that though the Applicant stands retired on 28.02.2006 till date he is not paid retiral benefits because of punishment in D.E. in which the Enquiry Officer has submitted negative report. This shows apathy and total negligence in the governance. This needs to be viewed seriously.</p> <p>4. Learned P.O. is directed to file reply on 19.06.2023 so that O.A. will be disposed of expeditiously. No further time will be granted.</p> <p>5. S.O. to 19.06.2023.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A.1037/2019 with O.As.1039 to 1042/2019 with O.As. 1237 to 1241/2019</u></p> <p>Shri A.V. Dalvi ... Applicant Vs.</p> <p>The State of Mah. & Ors. ... Respondents</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. S.P. Manchekar, learned Chief Presenting Officer for the Respondents is present. Shri K.B. Bhise, learned Advocate is absent.</p> <p>2. Learned CPO submits that she need to check as to whether pendency of Writ Petition which was the reason for adjourning these O.As from time to time is clearly related to the issue involved in these O.As.</p> <p>3. Indeed, it is on the basis of statement made by learned CPO and learned Advocate for the Applicants, the matter was adjourned because the issue is subjudice before Hon'ble High Court. However, now learned CPO submits that she need time to check the correct position. The learned Advocate for the Applicants was ^{is} sought time to check the record.</p> <p>4. If the issue involved in the present O.As is different than the issue subjudice before Hon'ble High Court, in that event, there is no need to keep this matter pending and hearing is required to be expedited.</p> <p>5. S.O. to 23rd June, 2023. Interim relief to continue till next date.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member-J 14.06.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A.Nos.561 to 563/2023 with M.A.351/2023</u></p> <p>Shri S.R. Bhoi & 2 Ors. ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned Presenting Officer for the Respondents is present.</p> <p>2. Two weeks' time is granted to file Affidavit-in-reply.</p> <p>3. S.O. to 28th June, 2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member-J 14.06.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s
(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.No.583/2023</u></p> <p>Shri A.V. Dalvi ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.2. On the request of learned P.O, two weeks' time is granted to file Affidavit-in-reply by way of last chance.3. S.O. to 28th June, 2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 14.06.2023</p> <p>(skw)</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 align="center"><u>O.A.No.555/2023</u></p> <p>Shri S.G. Ranpise ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents is present</p> <p>2. On the request of learned P.O, one week time is granted to file Affidavit-in-reply by way of last chance.</p> <p>3. S.O. to 21st June, 2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member-J 14.06.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.510/2023</u></p> <p>Shri K.E. Bahate Applicant Vs. The State of Mah. & ors. Respondents</p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents is present.</p> <p>2. The Applicant has challenged the order dated 21.03.2023 passed by S.D.O, Daund, District Pune thereby suspending him invoking Rule 4(1)(a) of M.C.S. (Discipline and Appeal) Rules, 1979. When the matter was taken up for admission, the Tribunal noticed that the enquiry is already completed and SDO has recorded the finding that Applicant has committed mistake but instead of imposing appropriate punishment in accordance to law, he suspended the Applicant, as if it is punishment. Therefore, learned P.O. submitted that he will advise SDO to take remedial measures and matter was adjourned.</p> <p>3. Today, learned Advocate for the Applicant has tendered order dated 12.06.2023 passed by SDO whereby suspension order dated 04.05.2023 is cancelled reserving his right to pass punishment order independently and Applicant is reinstated. Thus, apparently, SDO has realized the mistake and has withdrawn the order of suspension.</p> <p>4. The learned Advocate for the Applicant raised grievance of payment of pay and allowances from the date of suspension till reinstatement, which is quite reasonable and acceptable.</p> <p>5. As stated above, since enquiry was already completed and SDO has also recorded the finding against the Applicant, he was required to pass appropriate punishment if any in accordance to law.</p> <p>6. Now, SDO has cancelled the order. The Applicant is, therefore, entitled to pay and allowances of the said period.</p>

Ⓟ is guilty of misconduct

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. In view of above, O.A. is disposed of with liberty to SDO to pass appropriate order in DE in accordance to law within a month from today.</p> <p>8. The Applicant is entitled to pay and allowances of the suspension period and it be paid within a month from today.</p> <p>9. No order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">W (A.P. Kurhekar) Member-J 14.06.2023</p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.06.2023</p> <p>C.A. No.25 of 2023 in O.A. No.996 of 2021</p> <p>S.S. ShindeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This contempt application is filed for compliance of the order passed by the Tribunal on 04.08.2022 in O.A. No.996/2021. Collector Kolhapur was directed to revive and restore the name of the Applicant in the waiting list for issuance of order of compassionate appointment subject to fulfillment of eligibility criteria.</p> <p>3. Learned P.O. submit that file was in process with G.A.D. & L&JD and now further steps will be taken either to implement or to challenge the order before Hon'ble High Court.</p> <p>4. Indeed, period of more than 10 months is already over but there is no compliance of the order passed by the Tribunal. As such, enough time was availed by the Respondents either to implement the order or to challenge it by filing Writ Petition. <i>Prima-facie</i> Respondents are killing time and delaying the matter.</p> <p>5. In view of above, one week time is granted to file Affidavit of contemnor explaining why Contempt proceeding should not be initiated against him.</p> <p>6. S.O. to 21.06.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 14.06.2023

O.A.No.893/2022

N.S. Khandare & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

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

2. At the request of learned Advocate adjourned
to 19.07.2023.

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.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 14.06.2023

O.A.No.546/2023

N.R. Takey & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Adjourned to 19.06.2023. To be tagged along with M.A.No.385/2023 in M.A.No.386/2023 with O.A.No.543/2023.

Sd/-
Medha Gadgil
**(Medha Gadgil
Member (A)**

prk

Sd/-
Mridula Bhatkar, J.
**(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 align="center">Date : 14.06.2023</p> <p align="center">O.A.No.383/2023</p> <p>S.T. ThombareApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. seeks time to file reply.</p> <p>3. Learned Advocate prays that one post of Assistant Sales Tax Commissioner be kept vacant till filing of reply.</p> <p>4. This point can be considered on the next date.</p> <p>5. Adjourned to 21.06.2023.</p> <p align="center">Sd/- (Medha Gadgil Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.06.2023</p> <p>O.A.No.345/2023 with O.A.No.363/2023 with O.A.No.365/2023</p> <p>R.D. Akrupe & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks time in view that the interim order is challenged before the Hon'ble Supreme Court and the same is pending.</p> <p>3. Adjourned to 26.06.2023.</p> <p style="text-align: center;">Sd/- (Medha Gadgil Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders
Date : 14.06.2023

O.A.No.159/2023

Dr. A.K. JagtapApplicants
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. J.S. Deshmukh, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Advocate has submitted that the issue in present O.A. is covered by this Tribunal in O.A.No.469/2012 by order dated 04.01.2022. Learned Advocate has submitted that similar order is passed by the Aurangabad Bench in O.A.No.159 /2010 & Ors (Group matter) on 07.06.2023.

3. Learned P.O. seeks time to take instructions and to file reply.

4. Adjourned to 05.07.2023.

Sd/-
(Medha)Gadgil
Member (A)

prk

Sd/-
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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
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Date : 14.06.2023

O.A.No.722/2022

Dr. A.S. ReddyApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. seeks four weeks time to file affidavit-in-reply.

3. Time granted.

4. Adjourned to 12.07.2023.

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

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Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 14.06.2023</p> <p align="center">O.A.No.746/2022</p> <p>K.S. KaraleApplicant 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 and Ms. Punam Mahajan learned Advocate for the Respondent No.4</p> <p>2. Learned Advocate Ms. Mahajan has submitted that the O.A. is not maintainable on the ground that the Respondent is senior to the Applicant and therefore the applicant cannot claim for promotion dehors seniority. She has further submitted that the Government has reiterated the same in reply.</p> <p>3. Learned Advocate Mr. Jadhav is directed to remain present on the next date to meet this objection of maintainability raised by Respondent No.4.</p> <p>4. Adjourned to 28.06.2023.</p> <p align="right">Sd/-</p> <p align="center">Sd/- (Medha Gadgil Member (A)</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 14.06.2023

O.A.No.992/2022

J.P. MoreApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Learned P.O. has submitted that during the course of the day reply will be filed.

3. Adjourned to 28.06.2023, for rejoinder, if any.

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.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 14.06.2023

O.A.No.598/2023 with O.A.No.599/2023

Dr. C.S. LoneApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Adjourned to 15.06.2023. To be tagged along with similar O.A.No.623/2023 with O.A.No.626/2023.

Sd/-

**Medha Gadgil
Member (A)**

Sd/-

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

pk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 14.06.2023

O.A.No.1033/2022

J.K. SaptaleApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. has submitted that during the course of the day reply will be filed.

3. Adjourned to 05.07.2023, for rejoinder if any.

Sd/-

(Medha Gadgil
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

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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 : 14.06.2023</p> <p align="center">O.A.No.1189/2022</p> <p>P.R. BombardeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, 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 during the course of the day reply will be filed.</p> <p>3. At the request of learned Advocate adjourned to 12.07.2023 to file rejoinder.</p> <p align="center">Sd/- (Medha Gadgil Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.06.2023</p> <p>O.A.No.1194/2022</p> <p>M.R. GholapApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has submitted that during the course of the day reply will be filed.</p> <p>3. At the request of learned Advocate adjourned to 05.07.2023 to file rejoinder.</p> <p style="text-align: center;">Sd/- (Medha Gadgil Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No.

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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>Tribunal's orders Date : 14.06.2023</p>
	<p>O.A.No.1301/2022 with O.A.No.1302/2022 with O.A.No.1303/2022</p> <p>A.A. Wanve & Ors.Applicants 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 during the course of the day reply will be filed in the remaining two O.As.</p> <p>3. At the request of learned Advocate adjourned to 21.06.2023 to file rejoinder.</p> <p style="text-align: center;">Sd/- (Medha Gadgil Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) 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.

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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
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Date : 14.06.2023

O.A.No.773/2022

A.A. IngaleApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. has submitted that reply is filed.

3. At the request of learned Advocate adjourned to 12.07.2023 to file rejoinder.

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

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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Date : 14.06.2023

O.A.No.532/2023

S.K. MandeApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Priyanka Shaw, learned Advocate holding for Mr. R.K. Mendadkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant prays that Tribunal be pleased to quash and set aside the order dated 20.04.2023 passed by Respondent No.2, with direction to the Respondents No.1 and 2 to promote the applicant on the post of Tahsildar with deemed date.

3. Learned Advocate has submitted that by way of interim relief she wants order to be stayed.

4. Learned C.P.O. has submitted that the order is already implemented.

5. Under such circumstances, at this stage no interim relief can be granted.

6. Learned C.P.O. has submitted that the copy of O.A. is not served to the office of C.P.O.

7. Learned Advocate is directed to serve the copy of O.A. to the office of C.P.O.

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

9. Issue notice before admission returnable on 12.07.2023.

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.

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

Tribunal's orders

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

14. Adjourned to 12.07.2023.

Sd/-

(Medha Gadgil
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.649 OF 2023

S.N. Bade & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

Mr. S.S. Dere, learned Advocate for the Applicants

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

**CORAM : JUSTICE MRIDULA BHATKAR, CHAIRPERSON
MS. MEDHA GADGIL, MEMBER (A)**

Date : 14.06.2023

O R D E R

1. Learned Advocate has submitted that all the 20 Applicants on the post in Education Officer in Education Department seeks exception to the Rule 8 of the Recruitment Rules dated 28.12.2022 for the post of Education Officer and also prays that the name of Respondents No.2 and 3 are to be deleted as they are basically Administrative Officers.

2. Applicants are at present appointed as Deputy Director of Education Department and they were promoted to the post of Education Officer in the year 2013. Applicants are challenging the seniority list published on 10.04.2023 as on 01.01.2023 in the cadre of Maharashtra Education Officer.

3. Learned Advocate has submitted that by order dated 09.05.2023 passed in O.A.No.365/ 2023, Trupati V. Andhare Versus State of Maharashtra & Ors. the Aurangabad Bench of this Tribunal has granted interim relief to the extent of directing the Respondent Nos.1 to 2 not to

act upon the said provisional seniority list for giving further promotion, when the provisions of Rule 8 of the R.R. 2022 is under challenge.

4. Learned Advocate has further submitted that the same Rule 8 is applicable to Education Officer as well. Therefore mutandis mutatis, it should be applied same.

5. Learned Advocate is directed to serve the copy of O.A. to the concern.

6. Learned C.P.O. has submitted that Caveat No.2/2023 is already filed at Aurangabad Bench in the O.A.No.365/2023. She served the copy of Caveat to learned Advocate Mr. Dere. Learned C.P.O. has submitted that list is yet to be finalized.

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

8. Issue notice before admission returnable on 21.06.2023.


9. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

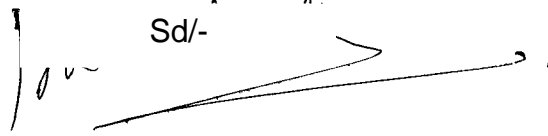
11. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

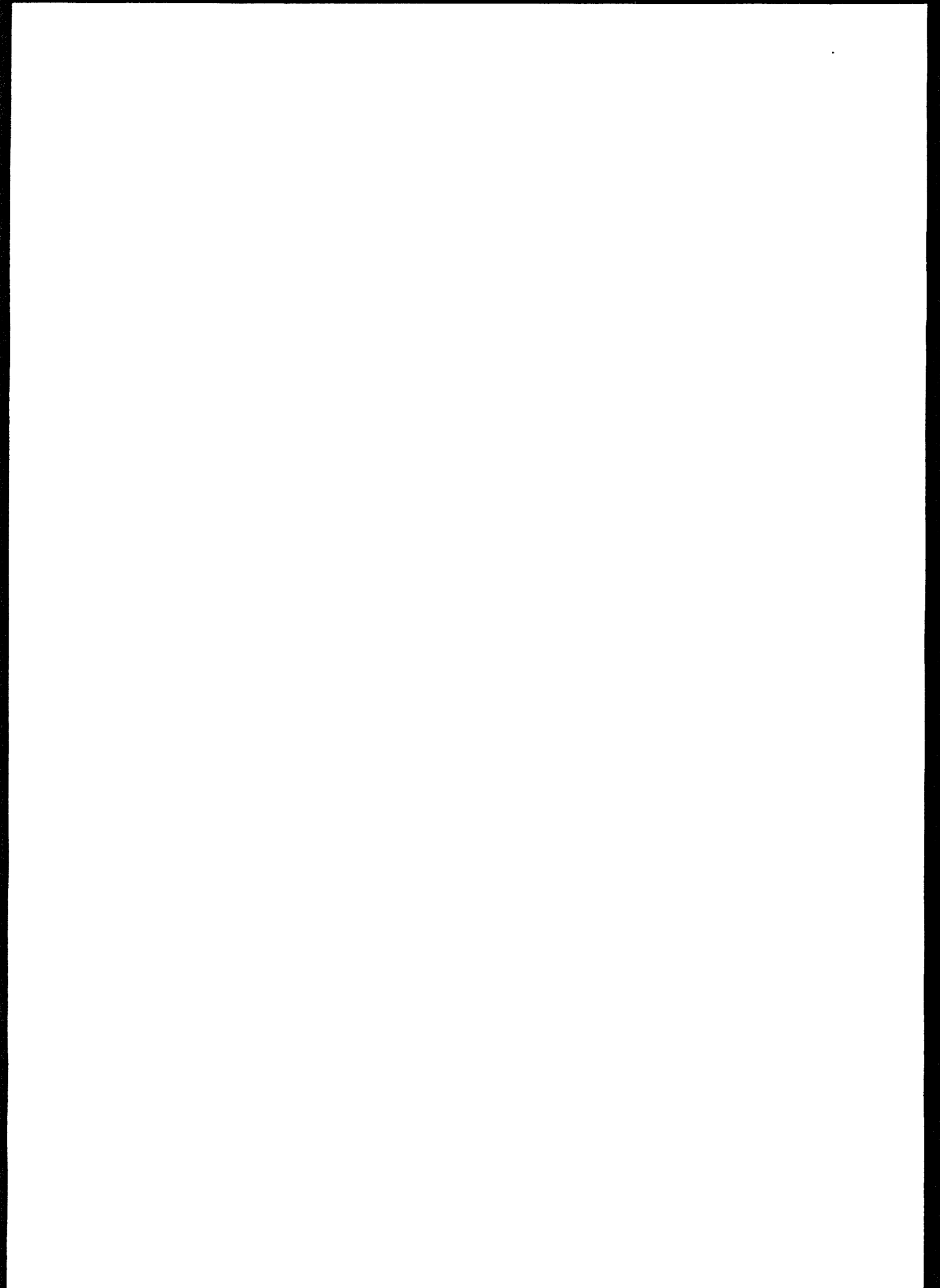
12. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application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

13. Adjourned to 21.06.2023.

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____

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.925 of 2017 with M.A. No.569 of 2017</u></p> <p>D.K. Gunjal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The matter is already adjourned to 22.6.2023 on today's board. Mentioned and taken on board at the request of Ld. Advocate for the applicant.</p> <p>3. Matter is fixed tomorrow only for filing affidavit. Hence, the matter is pre-poned from 22.6.2023 to 15.6.2023.</p> <p>4. S.O. to 15.6.2023.</p> <p align="center">Sd/-  (Medha Gadgil) Member (A) 14.6.2023 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 14.6.2023</p>

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

Tribunal's orders

CA.49/2020 in OA.822/2019 with
CA.50/2020 in OA.823/2019 with
CA.51/2020 in OA.824/2019 with
CA.52/2020 in OA.825/2019 with
CA.53/2020 in OA.826/2019 with
CA.43/2021 in OA.400/2019 And
CA.44/2021 in OA.821/2019 with

Dr. G.P. Jangid	(CA.49/2020)	
Dr. S.K. Balwant	(CA.50/2020)	
Dr. D.A. Wani	(CA.51/2020)	
Dr. N.B. Swami	(CA.52/2020)	
Dr. M.M. Bagwan	(CA.53/2020)	
Dr. C.D. Chapte	(CA.43/2021)	
Dr. A.G. Dighe	(CA.44/2021)	..Applicants
Vs.		
The State of Maharashtra & Ors.		..Respondents

Heard Shri J.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. These matters are already adjourned to 19.6.2023 on board. Taken on board today at the request of Ld. Advocate for the applicants. He submits that order dated 8.1.2020 passed in the above OAs is yet to be complied with. The Hon'ble High Court by its order dated 14.9.2022 in W.P. No.9427 of 2022 and other group matters has extended the time by 3 months to comply the order.

3. It appears that order of the Hon'ble High Court is also required to be complied with. As the order is not complied with, if steps are not taken immediately, we shall be constrained to issue show cause notice under contempt. We request the Chief Secretary, Govt. of Maharashtra to look into the matter for compliance at the earliest and report accordingly.

4. S.O. to 5.7.2023 at the request of Ld. Advocate for the applicants.

Sd/-
(Medha Gadgil)
Member (A)
14.6.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.6.2023

(sgj)


**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: 14.06.2023</p> <p align="center">C.A. No.06 of 2022 in O.A. No.574 of 2020</p> <p>L.D. VeerApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri Advaita Lonkar, learned Advocate for the Respondent Nos.1 to 3.</p> <p>2. Today learned Advocate for the Respondent Nos.1 to 3 have filed Affidavit-in-Reply on behalf of Respondent No.1 stating that the amount is already sanctioned by the Treasury and will be credited in the Applicant's account in a day or two.</p> <p>3. Learned Advocate for the Applicant sought one day time to verify whether entire due are paid in terms of the order passed by the Tribunal.</p> <p>4. S.O. to 15.06.2023.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</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 : 14.06.2023</p> <p align="center">C.A. No.39 of 2019 in O.A.No.216 of 2016</p> <p>A. P. CharateApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Jwala Jose holding for Ms Madhavi Ayyappan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for hearing, learned P.O. tendered Government order dated 14.06.2023 (passed today) thereby reinstating the Applicant on the post of Lecturer and regularizing her services as per the order passed by the Tribunal on 10.04.2019 in O.A.No.216/2016.</p> <p>3. The perusal of record reveals that being aggrieved by the order passed by the Tribunal on 10.04.2019 passed in O.A.No.216/2016, the Government had filed W.P. No.7879/2019 which came to be dismissed on 06.04.2023. Hence, being no alternative, now belatedly the Respondents have complied the order.</p> <p>4. In view of above, learned Counsel for the Applicant submits that grievance is redressed and C.A. be disposed of.</p> <p>5. Since, the Government has implemented the order, the contempt proceeding is disposed of with no order as to costs.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Debashish Chakrabarty) (A.P. Kurhekar)</p> <p align="center">Member (A) Member (J)</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
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Date: 14.06.2023

C.A. No.64 of 2022 in O.A. No.608 of 2019

Dr. M.V. PandeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri V.K. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant submits that Applicant has received all the benefits in terms of order passed by the Tribunal in O.A. but has not received leave encashment benefit.
3. Learned P.O. sought short time to verify service book to find out whether there was any leave at his credit.
4. S.O. to 16.06.2023.

Sd/-

(Debashish Chakrabarty)
Member (A)

A. Kurhekar
Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**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: 14.06.2023</p> <p style="text-align: center;">C.A. No.76 of 2022 in O.A. No.489 of 2021</p> <p>Dr. R.R. AsawaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Dr. R.R. Asawa, Applicant in Person and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. All that learned P.O. submits that steps are being taken to take policy decision whether to grant benefit of increment due on next day of retirement.</p> <p>3. In this matter Tribunal has already passed order on 05.07.2022 granting benefit of increment due on 1st July of the concerned year of the retirement. The period of near about one year is over, the order passed by the Tribunal is not challenged by filing Writ Petition. This being so, the Respondents were under obligation to comply the order. Indeed, Tribunal had granted three months time for the compliance of the order dated 05.07.2022 but still not implemented. As such, <i>prima-facie</i> Respondents have committed Contempt of the order passed by the Tribunal.</p> <p>4. Three days time is granted to learned P.O. to file Affidavit of the Contemnor so that contempt proceeding should be proceeded in accordance to Rules.</p> <p>5. S.O. to 16.06.2023.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">Sd/- (A.P. Kurhekar) Member (J)</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: 14.06.2023</p> <p align="center">C.A. No.10 of 2023 in O.A. No.367 of 2022</p> <p>P.B. UmraniApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P.B. Umrani, Applicant in Person and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that because of recovery of Rs.4,76,947/- (Rupees Four Lakhs Seventy Six Thousand Nine Hundred and Forty Seven Only) Department is unable to comply the order passed by the Tribunal on 20.07.2022.</p> <p>3. According to him excess amount of Rs.4,76,947/- is to be recovered from the Gratuity. He has further pointed out that notice under Rule 134(a) was also issued to the Applicant. He therefore sought one week time to file Affidavit-in-Reply.</p> <p>4. Learned Advocate for the Applicants submits that he intend to challenge the order of recovery by taking legal recourse of law. It is independent issue which can be dealt with it in appropriate proceeding.</p> <p>5. One week time is granted to learned P.O. to file Affidavit-in-Reply of contemnor.</p> <p>6. S.O. to 21.06.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Debashish Chakrabarty) (A.P. Kurhekar) Member (A) Member (J)</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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Date: 14.06.2023

C.A. No.32 of 2023 in O.A. No.496 of 2020

A.B. Baviskar & Ors.Applicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri V.K. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. submits that Respondents have challenged order passed by the Tribunal on 17.06.2021 passed in O.A. No.496/2020 and order passed in R.A. No.22/2022 on 07.02.2023. According to her Writ Petition is listed on 20.06.2023, she therefore requested for adjournment.

3. The perusal of record and orders passed by the Tribunal in contempt proceeding reveals that simultaneously Respondents were also taking steps to comply the order and now Writ Petition is also filed, therefore reasonable time needs to be given to bring stay from the Hon'ble High Court. Respondent No.2 – Smt. Revati Kulkarni is present.

4. S.O. to 22.06.2023.

Sd/-

(Debashish Chakrabarty)
Member (A)

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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

Tribunal's orders

Date: 14.06.2023

C.A. No.47 of 2023 in O.A. No.280 of 2023

S.B. KalekarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri V.K. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Respondents have challenged order passed by the Tribunal on 21.04.2023 passed in O.A. No.280/2023 by filing Writ Petition before Hon'ble High Court and now it is fixed on 22.06.2023. Tribunal directed to correct Date of Birth of the Applicant as 23.11.1965 in place of 23.05.1965, and therefore he was to be continued in service. He was due to retire on 31.05.2023 on the basis of incorrect Date of Birth recorded in service book since order was not implemented. The Applicant has filed C.A. on 30.05.2023 to avoid forcible retirement. The Tribunal granted interim relief to continue him upto 5th June 2023 by order dated 30.05.2023.

3. Therefore Respondents have filed Writ Petition before Hon'ble High Court but no stay is granted.

4. Thus by way of interim relief Applicant was continued in service upto 05.06.2023.

5. Learned P.O. submits that Respondents have not passed order of retirement. On instruction from Ms. Arpita S. Koduskar, Office Superintendent, Desk 3, Commissioner of Police, he further submits that if the Applicant joined on duty he will be allowed to work. The Applicant is at liberty to resume duty in view of the statement made by learned P.O.

6. In view of above, hearing of C.A. is adjourned to 26.06.2023.

7. S.O. to 26.06.2023.

Sd/-

Sd/-

(Debashish Chakrabarty)
Member (A)

(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
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Date : 14.06.2023

O.A.No.662 of 2023

V. P. Mhasal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent No.1 and Shri K. R. Jagdale, learned Counsel for Respondent No.2.

2. The Applicant has challenged the transfer order dated 09.06.2023 issued by the Government thereby posting the Respondent No.2 in his place which has effect of displacement and transfer of the Applicant from the present post. He was posted as Commissioner, Bhiwandi, Nizampur Municipal Corporation by order dated 19.05.2022 but abruptly Government by order dated 09.06.2023 displaced him and posted the Respondent No.2 in his place without issuing transfer order of the Applicant. Thus, the Applicant is left in abeyance.

3. The Tribunal on 13.06.2023 directed to parties to maintain status quo after ascertaining as to whether Respondent No.2 has taken charge and learned P.O. stated that Respondent No.2 has not taken the charge of the post of Commissioner, Bhiwandi-Nizampur, Municipal Corporation and matter was adjourned for consideration of interim relief.

4. Today, learned P.O. has tendered the file which disclosed that MLA made request to Hon'ble Chief Minister for transfer of the Respondent No.2 as Commissioner, Kolhapur, Municipal Corporation and thereafter department was directed to examine and place the matter before him.

5. Interestingly, the Chief Secretary, gave his opinion that the post of Commissioner, Kolhapur as well as Commissioner, Bhiwandi-Nizampur are earmarked for IAS cadre and stating so he specifically stated that the Respondent No.2 cannot be posted at any one of these two places. Despite this position, the Chief Minister passed the order giving posting to Respondent No.2 in place of Applicant.

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

Tribunal's orders

6. In file noting, it is further stated that transfer order of the Applicant will be issued independently. It is in these circumstances, the transfer order dated 19.05.2022 is under challenge.

7. In first place since the Applicant was not due for transfer, he should not have been displaced in such a manner without there being any such special case or administrative exigency under Section 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 which is completely missing. Ex-facie, the Applicant is displaced only to favour the Respondent No.2. That apart there is no recommendation of CSB for posting and transfer of the Respondent No.2 in place of the Applicant which is in contravention of directions of the Hon'ble Supreme Court in *T.S.R. Subramanian & Ors. Vs. Union of India & Ors. reported in (2013) 15 SCC 732*.

8. Indeed, if there was any such administrative exigency or special reason, in that event, for transfer of the Applicant from his present post of Commissioner, Bhiwandi-Nizampur Municipal Corporation, the matter firstly should have been placed before the CSB and thereafter only it was to be approved by the Highest Competent Transferring Authority. However, in present case, the Government displaced and shifted the Applicant without taking proper legal course of action.

9. Suffice to say, the impugned transfer order which has effect of displacement and shifting of the Applicant is totally arbitrary and ex-facie in blatant contravention of provisions of Transfer Act, 2005 and liable to be stayed.

10. For the aforesaid reasons, interim relief as prayed in Prayer Clause 10(a) is granted.

11. Steno copy granted.

12. Four weeks time is granted to Respondents to file reply.

13. S.O. to 13.07.2023.

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
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Date : 14.06.2023

O.A.No.653 of 2023

K. P. Jagtap

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri K. R. Jagdale, 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 31.05.2023 whereby he is transferred from Tahsil Office, Khatav to Tahsil Office, Koregaon and in his place Respondent No.3 is posted. His grievance is that options given by him are not considered by the Respondents.
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 12.07.2023.
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 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.
9. S.O. to 12.07.2023.

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
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Date : 14.06.2023

O.A.No.467 of 2023

R. A. Vhorkate

....Applicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. In present O.A., the Applicant has challenged the order dated 19.04.2023 whereby additional charge for the post of Deputy Conservator of Forest was given to Mr. Mahesh Zhanjure instead of giving the said charge to her. It was only the grievance of the Applicant.
3. The Tribunal has passed reasoned order on 25.04.2023 denying interim relief. The Tribunal noted that the competent authority has given reasons for keeping the charge with Mahesh Zhanjure and for not keeping the charge with Applicant. Shri Mahesh Zhanjure was given charge of Deputy Conservator of Forest in leave period Shri Mahadeo Mohite who proceeded on leave from 18.04.2023 to 04.05.2023 and now that period is already over.
4. This being so, the O.A. has become infructuous and there is no need to file the Affidavit in Reply. It is only in case of grant of interim relief, the O.A. would have survived but in view of rejection of interim relief by reasoned order now O.A. has become infructuous.
5. The O.A. is accordingly disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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
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Date: 14.06.2023

O.A. No.49 of 2023

B.S. LambhateApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.
3. S.O. to 03.07.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**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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Date: 14.06.2023

O.A. No.1042 of 2021

**N.L. PaithankarApplicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.
3. S.O. to 14.07.2023.

Sd/-

**(A.P. Kurhekar)
Member (J)**

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 14.06.2023

O.A.No.660 of 2023

N. K. Zanke & Ors.Applicants
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. The Applicants are seeking directions to transfer them from Wild Life Division to Territorial Wild Forest Division since they have already completed more than 10 years.
3. According to learned Counsel for the Applicants in terms of Circular dated 22.05.2017 and 02.05.2023, they were required to be transferred from Wild Life Division to Territorial Forest Division.
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 28.06.2023.
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 28.06.2023

Sd/-

(A.P. Kurhekar)
Member(J)

**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 : 14.06.2023</p> <p>M. A. No.384 of 2023 in O.A.No.660 of 2023</p> <p>N. K. Zanke & Ors.Applicants</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. This is an application for leave to sue jointly.3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.5. M. A. No.384/2023 is allowed. No order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.06.2023</p> <p align="center">M. A No. 383 of 2023 in O.A.No.659 of 2023</p> <p>S. G. Beldar & Ors.Applicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. This is an application for leave to sue jointly. 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately. 4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid. 5. M. A. No.383 /2023 is allowed. No order as to costs. <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p>

vsm

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

Tribunal's orders

Date : 14.06.2023

O.A.No.659 of 2023

S. G. Beldar & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicants have challenged the transfer order dated 20.05.2023 on the ground that their options were not considered though the options given were vacant. Admittedly, the Applicants were due for transfer. Therefore, I am not inclined to grant interim relief.
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 28.06.2023.
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 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.

9. S.O. to 28.06.2023.

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
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Date : 14.06.2023

M. A. No.118 of 2023 in M.A. No.119 of 2023 in
O.A.No.206 of 2023

R. H. Phadtare & Ors.Applicants

Versus

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

1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.

2. In request of learned P.O. two weeks' time is granted to file reply.

3. S.O. to 30.06.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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
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Date : 14.06.2023

M. A No.210 of 2023 in O.A.No.278 of 2023

R. K. Bhosale ...Applicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. On request of learned P.O. one week time is granted to file reply by way of last chance.

3. S.O. to 21.06.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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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Date : 14.06.2023

O.A.No.393 of 2023

P. C. Bagul

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. This O.A. is filed along with M.A.No.254/2023 which is allowed today. Therefore, O.A. needs to be decided on merit. Since the Respondents appeared in O.A. issuance of notice is dispensed with.

3. Four weeks' time is granted to learned P.O. to file reply in O.A.

4. S.O.to 12.07.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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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Date : 14.06.2023

M. A. No.254 of 2023 in O.A.No.393 of 2023

P. C. BagulApplicant

Versus

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

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. This M.A. is filed for condoning the delay of 82 days challenging the order dated 11.01.2022 whereby after retirement the pay is downgraded and recovery is sought.

3. Since the Applicant is retired Government servant, in the interest of justice, I am inclined to condone the delay so as to decide the O.A. on merit.

4. In view of above, M.A. is allowed and delay is condoned.

5. No order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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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Date : 14.06.2023

O.A.No.880 of 2021 to O.A.No.889 of 2021 with
O.A.No.917 of 2021

D. B. Mane & Ors.Applicants

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule & Smt. Archana B. K., learned Presenting Officers for the Respondents.

2. Today, learned P.O. has filed Affidavit in reply in O.A.No.888/2021 and O.A.No.917/2021. It is taken on record.

3. Learned P.O. sought time to file reply in other matters. In fact, there being common issue in all these O.A.s, common affidavit is expected but instead of doing so, there is a practice to file separate reply which is not at all necessary. Learned P.O. can adopt Affidavit in Reply already filed in the O.A. in remaining O.A.s.

4. Two weeks time is granted to file reply or to adopt the reply already filed on record.

5. S.O. to 28.06.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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
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Date : 14.06.2023

O.A.No.233 of 2023

V. H. ShelkeApplicant

Versus

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

1. Heard Shri G.A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned Counsel for the Applicant has filed Affidavit in Rejoinder. It is taken on record.
3. The matter is adjourned for hearing at the stage of admission.
4. S.O. to 13.07.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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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Date : 14.06.2023

O.A.No.466 of 2023

S. A. Rawade ...Applicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. On request of learned P.O. time is granted till 16.06.2023 to file reply as a last chance.

3. S.O. to 16.06.2023.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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 : 14.06.2023</p> <p align="center">O.A.No.492 of 2023</p> <p>M. G. MullaApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. time is granted till 16.06.2023 to file reply.</p> <p>3. S.O. to 16.06.2023.</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 _____

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 : 14.06.2023</p> <p align="center">O.A.No.507 of 2023</p> <p>P. M. MendhapureApplicant</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. On request of learned P.O., two weeks time is granted to file reply.</p> <p>3. S.O. to 28.06.2023.</p> <p align="right">Sd/- v (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 : 14.06.2023</p> <p align="center">O.A.No.508 of 2023</p> <p>S. P. ShirvadkarApplicant</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 Affidavit in Reply on behalf of Respondent No.3. It is taken on record.</p> <p>3. No separate reply is filed by remaining Respondents.</p> <p>4. O.A. be kept for hearing at the stage of admission.</p> <p>5. S.O. to 14.07.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>