

**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 : 14.09.2022</p> <p>O.A.No.83 of 2022</p> <p>Dr. P.L. Patil,Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant seeks time to file rejoinder.</p> <p>3. Time granted. Adjourned to 12.10.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.09.2022</p> <p align="center">O.A.No.359 of 2021</p> <p>B.R. ThoratApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Arif Jamkhandi, learned Advocate holding for Mr. Sachin Hande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant seeks time to file rejoinder.</p> <p>3. Time granted. Adjourned to 28.09.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NOS.911 to 913 OF 2022

Smt. F.V. R. Mukadam)
Shri N.V. Gavali.)
Shri A.S. More.)...**Applicants**

Versus

1. The State of Maharashtra & 2 Ors.)...**Respondents**

Mr. M.D. Lonkar, Advocate for Applicants.

Ms. S.P. Manchekar, Chief Presenting Officer for Respondent No.1

Mr. A.V. Bandiwadekar, Special Counsel for Respondent No.2

Mr. Kunal Damle, Advocate for Respondent No.3 – MIDC

CORAM : A.P. KURHEKAR, MEMBER-J

DATE : 14.09.2022

ORDER

1. In all these O.As, the Applicants have challenged the order dated ^{08.09.2022} 08.05.2022 whereby their deputation is cancelled and they were sent back to parent department and relieved instantly.

2. Applicant in O.A.No.911/2022 is Additional Collector, Applicant in O.A.No.912/2022 is Deputy Collector and Applicant in O.A.No.913/2022 is Additional Collector and their parent department is Respondent No.1 – Principal Secretary, Revenue and Forest Department.

3. The Applicant in O.A.No.911/2022 was sent on deputation ^b ~~by the~~ order ~~passed~~ by Respondent No.2 – Principal Secretary, Industry, Energy and Labour Department by order dated 12.05.2020 for one year upto

Corrected as per
orders dt. 15/9/22.

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I/c Registrar
Mumbai

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04.05.2021 on the post of Deputy Chief Executive Officer, MIDC. Accordingly, she joined at MIDC. Later, Chief Executive Officer, MIDC by letter dated 20.06.2022 requested Respondent No.2 to extend the period of deputation with specific recommendation that his performance as well as performance of one Applicant Ajay More [O.A.No.913/2022] is satisfactory and their services are required by MIDC. It is on that recommendation, the Respondent No.2 issued order dated 20.07.2022 thereby extending the period of deputation for two years upto 03.05.2023 or until further orders. Thus, by pursuance of order dated 20.07.2022, the Applicant continued on the post of Deputy Chief Executive Officer, MIDC. However, abruptly, Respondent No.2 by order dated 08.09.2022 cancelled the deputation and repatriated the Applicant to his parent department and also relieved her instantly. The Applicant has challenged this order by filing the present O.A. and also sought interim relief.

4. In O.A.No.912/2022, the Applicant was deputed for the period of one year by order dated 23.01.2020 as ^{Regional officer} Deputy Chief Executive Officer, MIDC and accordingly, Applicant joined there. Then by letter dated 29.06.2021, the Respondent No.2 extended the period of deputation for another year upto 21.01.2022. The Respondent No.3 - Chief Executive Officer, MIDC by letter dated 18.01.2022 recommended for the extension and it is on that basis, the said extension was given. On the basis of recommendation, the Respondent No.2 again extended the period of deputation of order dated 09.03.2022 for two years upto 22.01.2024. However, abruptly, Respondent No.2 by order dated 08.09.2022 repatriated the Applicant with immediate effect to his parent department.

5. Insofar as Applicant in O.A.No.913/2022 is concerned, he was deputed for one year by the order passed by Respondent No.2 dated 12.05.2020 and accordingly, he joined there. In view of recommendation made by Chief Executive Officer, MIDC, by letter dated 20.06.2022 his period of deputation was extended by order dated 20.07.2022 for two

years upto 03.05.2023 or until further orders. However, before completion of his deputation period, he also came to be repatriated by order dated 08.09.2022 by Respondent No.2, which is under challenge in the present O.A.

6. Heard Mr. M.D. Lonkar, Advocate for Applicants, Ms. S.P. Manchekar, Chief Presenting Officer for Respondent No.1, Mr. A.V. Bandiwadekar, Special Counsel for Respondent No.2 and Mr. Kunal Damle, Advocate for Respondent No.3 – MIDC.

7. Shri M.D. Lonkar, learned Advocate for the Applicant sought interim relief inter-alia contending that deputation of the Applicants are abruptly curtailed in derogation and in contravention of G.R. dated 17.12.2016 and G.R. dated 16.02.2018 read with Rule 40 (Appendix-II) of (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981 (hereinafter referred to as 'Joining Time Rules of 1981' for brevity). According to him, for curtailing deputation period, three months' notice is required, but the same is not given in the matter and Applicants are repatriated arbitrarily only to accommodate some other persons. He, therefore, sought interim relief.

8. Whereas learned CPO all that stated that Respondent No.1 – Revenue Department has only received proposal for sending other persons in place of Applicants and it is in process and till date, no final decision is taken.

9. Whereas Shri A.V. Bandiwadekar, learned Special Counsel for Respondent No.2 sought to contend that Applicants have no vested right to continue on deputation and they can be recalled before completion of their deputation period. According to him, in deputation extension order, the right is reserved to recall the Applicants at any time. He has further raised the issue that Applicants are on ad-hoc promotion and are not eligible for deputation.

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10. Whereas learned Advocate for Respondent No.3 submits that MIDC being corporate body, they have their own Recruitment Rules and without approval of MIDC, there could be no deputation. He placed reliance on the Judgment of MAT, Nagpur Bench in **O.A.No.794/2019 (Ram Lanke Vs. State of Maharashtra) decided on 27.11.2019.**

11. In view of submission advanced at the Bar, the issue posed for consideration is whether the impugned order of cancellation of repatriation is in consonance with law and due process has been followed for the same.

12. The deputation is governed by Rule 40 of 'Joining Time Rules of 1981 [Appendix-II], which is as under :-

"Standard Terms and conditions of transfer Government servants to foreign service.-

The following are the standard terms and conditions of transfer of Government servants to foreign service, including statutory Corporations, autonomous bodies. No departure from the prescribed terms and conditions shall be permissible.

- (1) Period of Deputation.-** The foreign service shall commence from the date the Government servant hands over charge of the post and will expire on the date he resumes charge of his post under Government. The Government servant shall be on deputation for a period of (Stated the period) years in the first instance provided that -
- (i) Government/competent authority reserves the right to recall him any time before expiry of the period of deputation, if his services are required by Government in the interest of public service;
 - (ii) if his services are not required by the foreign employer, it shall be open to the foreign employer to revert him to the parent department, provided 3 months' notice is given to Government/competent authority by the foreign employer before effecting such reversion; and
 - (iii) it is open to him to revert to the parent department after he gives a notice, of not less than three months, in writing to Government/competent authority of his intention to do so."

13. Apart, Government had issued GRs to regulate the service conditions on deputation. In this behalf, the Government issued two G.Rs. dated 17.12.2016 and 16.02.2018. Here relevant Clause is d(5) of G.R. dated 17.12.2016, which is as under :-

“ड(५) प्रतिनियुक्तीवर सेवा घेणा-या कार्यालयास काही विशिष्ट कारणास्तव विहित कालावधी संपण्यापूर्वी प्रतिनियुक्तीवर आलेल्या अधिका-यास त्याच्या मूळ प्रशासकीय विभागास/कार्यालयाकडे परत पाठवणे आवश्यक असल्यास, त्या आस्थापनेवरील सक्षम प्राधिका-याने तसे समर्थनीय कारण स्पष्ट करून त्याला/तिला परत पाठवण्यासाठी यथास्थिती संबंधित प्रशासकीय विभागास/कार्यालयास तीन महिन्यांची पूर्वसूचना (नोटीस) देणे आवश्यक राहिल. तथापि, या संदर्भात विशिष्ट कारणे नमूद करून उदा. अनियमितता, अफरातफर, कर्तव्यच्युती, इत्यादी कारणे नमूद करून प्रतिनियुक्तीचा कालावधी तात्काळ संपुष्टात आणता येईल.”

14. Later by G.R. dated 06.02.2018, the above Clause d(5) is modified as under :-

“प्रतिनियुक्तीवर सेवा घेणा-या कार्यालयास काही विशिष्ट कारणास्तव विहित कालावधी संपण्यापूर्वी प्रतिनियुक्तीवर आलेल्या अधिका-यास त्याच्या मूळ प्रशासकीय विभागास/कार्यालयाकडे परत पाठवणे आवश्यक असल्यास, त्या आस्थापनेवरील सक्षम प्राधिका-याने तसे समर्थनीय कारण स्पष्ट करून त्याला/तिला परत पाठवण्यासाठी यथास्थिती संबंधित प्रशासकीय विभागास/कार्यालयास तीन महिन्यांची पूर्वसूचना (नोटीस) देणे आवश्यक राहिल. तथापि, या संदर्भात विशिष्ट कारणे नमूद करून उदा. अनियमितता, अफरातफर, कर्तव्यच्युती, इत्यादी कारणे नमूद करून प्रतिनियुक्तीचा कालावधी तात्काळ संपुष्टात आणता येईल.

परंतु, मंत्री आस्थापनेवरील कर्मचा-यास मूळ संवर्गात प्रत्यावर्तीत करताना ३ महिन्यांची पूर्वसूचना देण्याची आवश्यकता नाही”

15. It is thus explicit from the above provision that in case of curtailing deputation period, the procedure as required under Rule 40 (Appendix-II) which are reiterated in G.R. dated 16.02.2018 is required to be followed. In other words, even if a person sent on deputation have no vested right to continue on deputation for a given period, law requires due process of law for recalling or modifying deputation order. Furthermore, while recalling deputation order, the authority is required to give reasons like irregularity, misappropriation, misconduct, etc. and then only after recording such reasons, the deputation period can be cancelled. The requirement of three months' notice is dispensed with only where deputation is with on the establishment of Minister. Therefore, Clause of dispensation of three months has no relevance here. Suffice to say, deputation or its cancellation must be in consonance with the Rules and it is not left to the whims or caprice of the executive.

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16. Now let us see what are the reasons forthcoming for cancellation of deputation order. File noting is tendered for the perusal of Tribunal by learned Counsel for Respondent No.2. The perusal of file reveals that Hon'ble Minister has given instructions to the Department to depute certain officials mentioned in the list (20 officials) for three years in MIDC and on receipt of said instructions, the Department has prepared note. The note was accordingly approved by the Hon'ble Minister as well as by Hon'ble Chief Minister. While doing so, Respondent No.2 sent proposal to Respondent No.1 for giving consent for sending those Officers on the establishment of Respondent No.2 so as to depute them in MIDC. As stated above, learned CPO stated that the said proposal is recently received by Revenue and Forest Department and it is in process. Thus, in anticipation of the deputation of those Officials in MIDC, the Applicants' deputation is cancelled.

17. It is explicit from note that Hon'ble Minister wants to bring some other Officials in place of Applicants and it is for that reason only, Applicants' deputation period has been cancelled. Except the said reason, no other reason is forthcoming. It is thus manifest that there is no compliance of the conditions mentioned in G.R. dated 16.02.2018 or compliance of the Rules mentioned in Rule 40 (Appendix-II). Thus, *prima-facie*, Applicants' deputation has been abruptly recalled only to bring some other persons and no other reason is forthcoming.

18. True, this is not a transfer matter in which provisions of 'Transfer Act of 2005' are required to be strictly complied with and there is distinction between transfer and repatriation order. However, when law requires for observance of certain procedure as contemplated in Rule 40 (Appendix-II) as well as G.R. dated 17.12.2016 and orders are passed without adherence to the provisions of law, such orders will have to be termed arbitrary and colourable exercise of powers and intervention of Tribunal is inevitable.

19. The reliance placed by learned Special Counsel for Respondent No.2 on the decision in **2002(1) Mah.L.J. 563 [State of Maharashtra Vs. Ajit Pawar]** is totally misplaced. In that case, the order of deputation at Shirdi Sansthan was cancelled by the Government in view of registration of two FIRs against the said Official. Therefore, the reasons given for recalling of deputation order was found in the interest of public and challenge to the cancellation of deputation order was dismissed. Whereas in the present case, no such reason even for name sake is forthcoming. Suffice to say, the said Judgment is of no assistance to Respondents in the present case.

20. The submission advanced by learned Advocate for Respondent No.3 that in view of Maharashtra Industrial Development Act, 1961 and Rules framed thereunder, the Chief Executive Officer is the only appointing authority and in absence of request by MIDC, no ~~other~~ officials can be posted in MIDC on deputation is misconceived. Indeed, as per Section 12 of Maharashtra Industrial Development Act, 1961, it is for the State Government to appoint Chief Executive Officer or Deputy Chief Executive Officer of the Corporation. The powers of appointment of subordinate Officers only vests with the Corporation. As stated above, Respondent No.3 itself recommended for extension of deputation of the Applicants certifying that their performance is good and their services are required by MIDC. This being so, it does not lie in the mouth of Respondent No.3 that Applicants were sent on deputation without their consent.

21. Reliance placed by Respondent No.3 on the Judgment rendered by MAT, Nagpur Bench in O.A.No.794/2019 (cited supra) is totally misplaced and the facts of the present case are totally distinguishable. In that case, there was no request by MIDC for deputation, and therefore, the deputation itself was found not legal. Whereas in the present case, there are recommendations by the Chief Executive Officer, MIDC for continuation of deputation, since their services were required by MIDC

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and their performance was found satisfactory. That apart, the Applicants therein were posted as Regional Officer and not on the post of Deputy Chief Executive Officer. Whereas as per Section 12 of Maharashtra Industrial Development Act, 1961, the State Government is empowered to appoint Chief Executive Officer or Deputy Chief Executive Officer of MIDC. The said decision is of no assistance to the Respondents.

22. Insofar as eligibility of the Applicants for deputation being their promotion is on ad-hoc basis is concerned, in my considered opinion, it would not come in the way of Applicants to claim interim relief in view of order passed by Respondent No.2 itself which is parent department of MIDC while sending them on deputation as well as in the light of recommendation made by none other than MIDC for their extension of deputation knowing that their promotion is ad-hoc. Now they cannot be allowed to turn around.

23. Thus, *prima-facie*, the entire exercise of cancellation of deputation seems to have been made only to bring some other persons in place of Applicants and no other justifiable reason even for name sake is forthcoming. The order of cancellation of deputation is in contravention of Rule 40 (Appendix-II) of 'Joining Time Rules of 1981' as well as G.R. dated 17.12.2016 and *prima-facie*, it is for some extraneous consideration. The authority is empowered to recall the persons sent on deputation, but it should be in observance with the Rules and not in such arbitrary manner.

24. Though in impugned order, Applicants are shown relieved instantly, admittedly, no other officials are appointed in their place. The Applicants are, therefore, entitled to re-join and Respondents are directed to allow them to resume the duties. The implementation of impugned orders dated ^{08.09.2022} 08.05.2022 is stayed.

25. Issue notice made returnable on 12th October, 2022.
26. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
27. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
28. 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.
28. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the O.A. shall stand dismissed.
30. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
31. S.O. to 12th October, 2022. Hamdast granted.

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

O.A.Nos.911 to 913/2022

Smt. F.V. R. Mukadam
Shri N.V. Gavali.
Shri A.S. More.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

SPEAKING TO MINUTES

1. Shri M.D. Lonkar, learned Advocate for the Applicants, Ms. S.P. Manchekar, learned C.P.O. for Respondent No.1, Shri A.V. Bandiwadekar, learned Special Counsel for Respondent No.2 and Shri Kunal Kamble, learned Advocate for Respondent No.3.

2. Today the matter is taken up for Speaking to Minutes to correct some typographical mistakes in the order passed yesterday i.e.14,09.2022 in this matter.

3. In all these O.As, the challenge was to the impugned order dated 08.09.2022, but the date is wrongly typed as 08.05.2022 in Para Nos. 1 and 24 of the Order. It needs to be corrected as 08.09.2022.

4. Similarly in Para No.4, in 2nd line, it is stated that Applicant is deputed for the period of one year by order dated 23.01.2020 as Deputy Chief Executive Officer and it should be 'Regional Officer' in place of 'Deputy Chief Executive Officer', since admittedly, Applicant in O.A.No.912/2022 was appointed as Regional Officer. Hence, the word 'Deputy Chief Executive Officer' in line No.2 of Para No.4 be corrected as 'Regional Officer'.

5. These are being inadvertent typographical mistakes, needs to be corrected and it be corrected accordingly.

Sd/-

(A.P. Kurhekar)
Member-J
15.09.2022

(skw)

**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.903/2016</u></p> <p>Shri S.B. Saste ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned P.O. for Respondents is present.</p> <p>2. Learned P.O. informed that Writ Petition No.876/2014 is still pending before Hon'ble High Court. The Tribunal by order dated 03.08.2017 directed to keep this O.A. in <i>sine-die</i> list in view of pendency of Writ Petition.</p> <p>3. In view of above, O.A. is adjourned for four weeks.</p> <p>4. S.O. to 14.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member-J 14.09.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p align="center">O.A. No.812 of 2022</p> <p>N.V. DahibhateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri M.D. Lonkar, learned Advocate for the Respondent No.2. and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. as well as learned Advocate Shri M.D. Lonkar two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 28.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p style="text-align: center;">M.A. No.525 of 2022 in O.A. No.812 of 2022</p> <p>R.K. LovekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant in M.A., Shri A.V. Bandiwadekar, learned Advocate for the Applicant in O.A., Shri M.D. Lonkar, learned Advocate for the Respondent No.2 in O.A. and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to implead intervener Shri R.K. Lovekar as Respondent in the O.A. or alternative to clarify the interim order dated 17.08.2022 passed by the Tribunal that it should not come in the way of the Applicant or Respondent No.2 regarding issue of transfer order of the Applicant in any other post in the Mumbai division.</p> <p>3. In O.A. the Tribunal by order dated 17.08.2022 granted interim relief in respect of the Transfer order dated 10.08.2022 whereby the Applicant in O.A. namely Shri N.V. Dahibhate has been transferred from the post of Deputy Registrar, Co-operative Societies, K/West Ward, Mumbai to District Deputy Registrar, Co-operative Societies, Amravati in place of Shri lovekar who was to be transferred and in waiting. Thus it appears that there is proposal to transfer Shri Lovekar to some other post because of the interim order dated 17.08.2022 passed by the Tribunal.</p> <p>4. Infact no so request for modification of order dated 17.08.2022 is forthcoming from the Government. If Government is facing any such difficulty then it ought to have filed M.A. or ought to have moved the Tribunal for modification of interim order dated 17.08.2022. It is the Applicant Shri Lovekar who apprehend some difficulty by the Government in considering his request for transfer.</p> <p>5. In view of above, this M.A. being not maintainable is disposed of. Government is at liberty to pass appropriate order in accordance to law.</p> <p>6. No order as to costs.</p> <p style="text-align: right;">\</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p>M.A. No.543 of 2022 in O.A. No.901 of 2022</p> <p>Maharashtra Industrial Develop. CorporationApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Kunal Damale, learned Advocate for the Applicant in M.A. No.543/2022, Shri M.D. Lonkar, learned Advocate for the Applicant in O.A. No.901/2022, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent No.1 in O.A. No.901/2022 and Shri A.V. Bandiwadekar, learned Special Counsel for Respondent No.2 in O.A. No.901/2022.</p> <p>2. This M.A. No.543/22 is filed to implead MIDC as Respondent No.3 in O.A. No.901/2022 as well as to recall the interim relief passed by the Tribunal on 08.09.2022. The Tribunal passed order on 13.09.2022 granted permission to join MIDC as Respondent No.3 and accordingly it is joined as Respondent No.3. However, by the said order dated 13.09.2022, M.A. is shown disposed of though there are other prayers in M.A.</p> <p>3. In view of above, order dated 13.09.2022 to the extent of disposal of M.A. is recalled.</p> <p>4. M.A. will have to be heard insofar as other relief claim in M.A. are concerned.</p> <p>5. One week time is granted to the Respondents to file Affidavit-in-Reply. O.A. and M.A. will be heard together.</p> <p>6. S.O. to 21.09.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p align="center">O.A. No.928 of 2019</p> <p>S.A. DhamaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed short Affidavit on behalf of Respondent No.1. It is taken on record.</p> <p>3. Adjourned for Final Hearing.</p> <p>4. This O.A. be kept along with O.A. No.937/2019.</p> <p>5. S.O. to 28.09.2022.</p> <p align="right"> Sd/- (A.P. Kurhekar) Member (J) </p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p align="center">O.A. No.316 of 2021</p> <p>Dr. R.B. NirmaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Additional short Affidavit on behalf of Respondent Nos.2 to 3. It is taken on record.</p> <p>3. Adjourned for Final Hearing (Part Heard).</p> <p>4. S.O. to 19.09.2022.</p> <p align="right">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 _____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p align="center">O.A. No.337 of 2022</p> <p>D.W. PandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri Siddharth Shitole, learned Advocate holding for Shri A. Helaskar, learned Advocate for the Respondent No.4.</p> <p>2. Today learned C.P.O. has filed Affidavit-in-Sur Rejoinder on behalf of the Respondent Nos.1 & 2. It is taken on record.</p> <p>3. Learned Advocate for Respondent No.4 has also filed Additional Affidavit-in-Reply along with Annexure. It is taken on record.</p> <p>4. O.A. be kept for Final Hearing with liberty to learned C.P.O. to file Additional counter Affidavit, if necessary.</p> <p>5. S.O. to 21.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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

Tribunal's orders

Date: 14.09.2022

O.A. No.476 of 2022

Dr. A.M. KadhikhayeApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents. Shri D. Lokhande, learned Advocate for the Respondent No.3 is absent.
2. On request of learned P.O. time till Friday i.e. 16.09.2022 is granted to file Affidavit-in-Reply on behalf of Respondent Nos.1 & 2 by way of most last chance.
3. S.O. to 16.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 14.09.2022</p> <p align="center">O.A. No.919 of 2022</p> <p>P.N. ThakreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent No.1, Shri A.V. Bandiwadekar, learned Special Counsel for Respondent No.2 and Shri Kunal Damale, learned Advocate for Respondent - MIDC.</p> <p>2. The Applicant has challenged order dated 08.09.2022 whereby Respondent No.2 cancelled the deputation of the Applicant in MIDC.</p> <p>3. Shri A.V. Bandiwadekar, learned Counsel for Respondent No.2 sought time to take instruction from Department. On his request matter is adjourned to tomorrow.</p> <p>3. S.O. to 15.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p align="center">O.A. No.924 of 2022</p> <p>Dr. S.V. NawaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.R. Wankhade, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. O.A. is filed for regularization of service on the post of Lady Medical Officer, Class III. The Applicant is appointed for 120 days as seen by order dated 18.07.2022 issued by Respondent No.3 – The Dean, Grant Medical College and Sir J.J. Group of Hospitals, Mumbai.</p> <p>3. As of now, there is no apprehension of termination since appointment order itself is for 120 days which will expire in Nov 2022, therefore question of interim relief does not survives. However, liberty is granted to the Applicant to move the Tribunal if situation arise.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 12.10.2022.</p> <p>6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>10. S.O. to 12.10.2022.</p> <p style="text-align: right;">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 _____

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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>Date: 14.09.2022</p> <p align="center">O.A. No.838 of 2022 FOR SPEAKING TO THE MINUTES</p> <p>C.M. SanhalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This matter is taken up today on board for Speaking to the minutes to correct typographical error in the operative order.</p> <p>3. In operative order the Applicant is ^{held} entitled to interest at the rate applicable to GPF from 01.04.2018 till actual date of payment on belated payment of Gratuity. In Para 11 while giving reason the Tribunal made it clear that the Applicant stands retired on 30.09.2017, and therefore Gratuity was payable after three months i.e. 01.01.2018. Thus the Applicant is entitled to interest on Gratuity from 01.01.2018. However, inadvertently date is wrongly typed as 01.04.2018.</p> <p>4. In view of above, date mentioned as 01.04.2018 in operative order (Clause B) be corrected as "01.01.2018" in place of "01.04.2018".</p> <p>5. Necessary correction be made in the Original order.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="right">NMN [P.T.O.]</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 : 14.09.2022</p> <p align="center">O.A.No.377 of 2020 with O.A.No.48 of 2021</p> <p>A.K. Bhusare & Ors. (O.A.377/2020) S.M. Joshi & Ors. (O.A.48/2021)Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Gaikwad, learned Advocate holding for Dr. Gunratan Sadavarte, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits the in O.A.No.377/2020 reply is already filed and in O.A.No.48/2021 she will be filing reply during the course of the day.</p> <p>3. Learned Advocate submits that he do not wish to file rejoinder.</p> <p>4. Admit. Adjourned to 09.11.2022.</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
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..... 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 : 14.09.2022</p> <p align="center">M.A.No.549 of 2022 in O.A.No.630 of 2022</p> <p>Dr. A.P. Patil & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A. is moved for amendment of O.A. as per the Schedule-1. Amendment is preferred as pending O.A. the seniority list in the cadre of Naib Tahasildar was published hence it is continuous cause of action.</p> <p>3. Learned C.P.O. submits to the orders of the Tribunal.</p> <p>4. In view of the submissions amendment is allowed as per Schedule-I. Amendment is to be carried out within a week and amended copy be furnished to the concerned Respondents thereafter within a week. Respondents to file additional affidavit-in-reply, if any, after four weeks.</p> <p>5. M.A. stands disposed of. O.A. Adjourned to 09.11.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 14.09.2022</p> <p>O.A.No.835 of 2017</p> <p>U.D. KshatriyaApplicant 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 she could not trace the soft copy of the para-wise remarks in her system. She seeks one week time to file reply.</p> <p>3. Time granted. Adjourned to 21.09.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.09.2022</p> <p>M.A.No.546 of 2022 in O.A.No.519 of 2018</p> <p>S.N. HajareApplicant 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. M.A.No.546/2022 is moved to expedite hearing of O.A.No.519/2018 as the applicant is out of service after putting in four years service in Class-III in the office of Water Resources.</p> <p>3. O.A. is of the year 2018. It can be heard in either in the last week of October, 2022 or in the second week of November, 2022.</p> <p>4. Hence, M.A. stands disposed of. O.A. adjourned to 17.10.2022.</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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..... 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 : 14.09.2022</p> <p>O.A.No.251 of 2020</p> <p>R.R. PolApplicant 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. Last chance granted to learned C.P.O. to file affidavit-in-reply. If reply is not filed by next date, matter will proceed without reply.</p> <p>3. Adjourned to 03.10.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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..... Applicant/s

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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 : 14.09.2022</p> <p align="center">O.A.No.339 of 2021</p> <p>A.S. Shah & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that reply is already filed.</p> <p>3. Admit. Adjourned to 10.11.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p align="left">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 14.09.2022
	<p align="center">M.A.No.544 of 2022 in O.A.No.693 of 2018</p> <p>P.M. KudalApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A.No.544/2022 is moved to expedite hearing of O.A.No.693/2018 as the case of the applicant is covered by the decision of this Tribunal dated 24.06.2022 in O.A.No.480/2020.</p> <p>3. Learned C.P.O. is hereby directed to go through the order of this Tribunal in O.A.No.480 /2020 and make statement whether it is applicable to the facts of the present case.</p> <p>4. Adjourned to 21.09.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>14.09.2022</u></p> <p align="center"><u>C.A 17/2022 in O.A 266 & 712/2021</u></p> <p>Smt Sanjivani S.Paithankar ... Applicant Vs. Shri Dhanraj Mane & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The present Contempt Application is filed for not complying with the order dated 8.3.2022 of this Tribunal in O.A 266 & 712/2021 within a period of one month from the date of the order.</p> <p>3. Subsequently application was moved for extension of time to comply with the order of this Tribunal dated 8.3.2022. By order dated 8.6.2022 time was granted till 30.8.2022 for compliance.</p> <p>4. Learned P.O on instructions from Dr S.M Sarvankar, Principal, Govt. college of Education, Panvel, states that due to technical error the papers could not be processed. Learned P.O further submits that the Respondent-State had moved proposal for sanction of grant on 5.8.2022.</p> <p>5. AS time was granted till 30.8.2022 for compliance of the order of this Tribunal, there is clear case for initiating contempt proceedings.</p> <p>6. In view of the above, issue Contempt Notice to the Contemnors as to why the action should not be initiated under the Contempt of Courts Act, 1971.</p> <p>7. S.O on 12.10.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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

Tribunal's orders

Date : 14.09.2022

O.A.No.905 of 2022 with O.A.No.915 of 2022

Dr. B.B. Wankhade

Dr. H.D. Patil

....Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. P.R. Wankhede, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The Applicants are working as Medical Officers in Grant Medical College, Mumbai and Government Medical College, Kolhapur respectively. They were appointed in 2015 and 2013 respectively when the Recruitment Rules were not in existence and till today they are in service on temporary basis. The Medical Officers were earlier appointed under DMER. The advertisement is issued on 22.07.2022 for filling the post of Medical Officers.

3. Learned Advocate challenges the said advertisement dated 22.07.2022 for filling the post of Medical Officers, Group-D in the Government Medical Colleges. She states that the applicants have been working on the said posts since June 2015 and 2013 resp. She further states that earlier stay has been granted in similar matters by order dated 24.08.2022 in O.A.No.805, 843, 844 & 770 of 2022.

4. In view of above, we direct the Respondents not to terminate the service of these two applicants till the final decision of the present O.As.

5. Adjourned to 12.10.2022. To be tagged along with O.A.No.805 of 2022 with O.A.No.843 of 2022 with O.A.No.844 of 2022 with O.A.No.770 of 2022.

Sd/-

Sd/-

(Medha Gadgil)
Member(A)

(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 : 14.09.2022</p> <p style="text-align: center;">O.A.No.369 of 2022</p> <p>R.M. ManeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Last chance granted to learned P.O. to file affidavit-in-reply. If reply is not filed by next date, matter will proceed without reply.</p> <p>3. Adjourned to 12.10.2022.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member(A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

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DISTRICT

..... Applicant/s


(Advocate

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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 : 14.09.2022
	<p align="center">O.A.No.370 of 2022</p> <p>S.S. IngaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Last chance granted to learned P.O. to file affidavit-in-reply. If reply is not filed by next date, matter will proceed without reply.</p> <p>3. Adjourned to 12.10.2022.</p> <p>Sd/- (Medha Gadgil/ Member(A) prk</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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..... 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 : 14.09.2022</p> <p align="center">O.A.No.385 of 2022</p> <p>S.K. Hankare & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file rejoinder.</p> <p>3. Adjourned to 19.09.2022. Interim relief to be continued till next date.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p>prk</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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DISTRICT

..... Applicant/s

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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 : 14.09.2022</p> <p align="center">O.A.No.349 of 2022 with O.A.No.428 of 2021</p> <p>P.D. Thorat (O.A.349/2022) S.A. Kamble (O.A.428/2021)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant in O.A.No.349/2022, Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.428/2021 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of P.O. adjourned to 19.09.2022 for filing reply.</p> <p align="center">Sd/- _____ (Medha Gadgil) Member(A)</p> <p align="center">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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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 : 14.09.2022
	<p style="text-align: center;">O.A.No.450 of 2022</p> <p>V.P. ThakurApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Mr. D.B. Khaire, learned Advocate for the Applicant and and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that reply on behalf of Respondents No.1 and 2 is already filed.</p> <p>3. Admit. Adjourned 23.11.2022.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member(A) prk</p> <p style="text-align: center;">Sd/- (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
	<p>Date : 14.09.2022</p> <p>O.A.No.659 of 2022</p> <p>R.N. Chore & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that reply of Respondent No.1 is already filed, reply of Respondent no.2 is not required and today she will be filing affidavit-in-reply on behalf of Respondent No.3 (M.P.S.C.). It be taken on record. Copy be served on the learned Advocate.</p> <p>3. Adjourned to 12.10.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) // (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**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 : 14.09.2022</p> <p>O.A.No.572 of 2022</p> <p>A.S. MoreApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Last chance granted to learned P.O. to file affidavit-in-reply and take instructions.</p> <p>3. Adjourned to 28.09.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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DISTRICT

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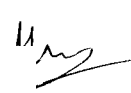
(Advocate

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 : 14.09.2022</p> <p>O.A.No.564 of 2022</p> <p>R.R. Kawale ...Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. P. Walimbe, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Last chance granted to learned C.P.O. to file affidavit-in-reply. If reply is not filed by next date, matter will proceed without reply.</p> <p>3. Adjourned to 12.10.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 14.09.2022</p> <p>M.A.No.545 of 2022 in O.A.No.520 of 2018</p> <p>S.S. KshirsagarApplicant 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. M.A.No.545/2022 is moved to expedite hearing of O.A.No.520/2018 as the applicant is out of service after putting in four years service in Class-III in the office of Water Resources.</p> <p>3. O.A. is of the year 2018. It can be heard in either in the last week of October, 2022 or in the second week of November, 2022.</p> <p>4. Hence, M.A. stands disposed of. O.A. adjourned to 17.10.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 14.09.2022</p> <p>O.A.No.805 of 2022 with O.A.No.843 of 2022 with O.A.No.844 of 2022 with O.A.No.770 of 2022</p> <p>Dr. Z.A.K. Patwekar & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. P.R. Wankhede, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that short affidavit-in-reply is filed by Respondent No.1 and 3. She seeks time to file regular affidavit.</p> <p>3. Adjourned to 12.10.2022. To be tagged along with O.A.No.905/2022 and O.A.No.915/2022</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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DISTRICT

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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 : 14.09.2022
	<p style="text-align: center;">O.A.No.383 of 2022</p> <p>A.G. Tainak & Ors. ...Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that rejoinder is already filed.</p> <p>3. Admit. Adjourned to 12.10.2022 with liberty to file sur-rejoinder, if any.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadga) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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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 : 14.09.2022</p> <p>O.A.No.514 of 2022</p> <p>R.A. KhatkaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Admit. Adjourned to 11.10.2022. Interim relief to be continued till next date.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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

Date : 14.09.2022

O.A.No.368 of 2022

A.D. KasbeApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

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

2. Last chance granted to learned P.O. to file affidavit-in-reply. If reply is not filed by next date, matter will proceed without reply.

3. Adjourned to 12.10.2022.

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 : 14.09.2022</p> <p align="center">O.A.No.358 of 2022</p> <p>S.R. NaraleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Last chance granted to learned C.P.O. to file affidavit-in-reply. If reply is not filed by next date, matter will proceed without reply.</p> <p>3. Adjourned to 07.10.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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DISTRICT

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(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>14.09.2022</u></p> <p style="text-align: center;"><u>C.A 55/2022 in O.A 434/2022</u></p> <p>Shri Rahul T. Kale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. By order dated 13.7.2022, which is subject matter of this Contempt Application, the Tribunal directed the Respondents to reinstate the applicant in service within week from today.</p> <p>3. Learned P.O submits that the applicant is reinstated in service by order dated 12.8.2022.</p> <p>4. Learned counsel for the applicant pointed out that the order should have been passed on or before 22.7.2022. However, the order reinstating the applicant was passed on 12.8.2022, but it was served on the applicant only on 29.8.2022, i.e. 15 days after the issuance of the order.</p> <p>5. In view of the above, we call upon the Respondents to explain the delay in service of the order on the applicant.</p> <p>6. S.O to 21.9.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/- </p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

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DISTRICT

..... Applicant/s

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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 : 14.09.2022</p> <p style="text-align: center;">O.A.No.95 of 2022</p> <p>P.P. BharadApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Last chance granted to learned P.O. to file affidavit-in-reply. If reply is not filed by next date, matter will proceed without reply.</p> <p>3. Adjourned to 12.10.2022.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p><i>(Signature)</i></p> <p>(Medha Gadgil) Member(A)</p> <p>prk</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p><i>(Signature)</i></p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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

Date : 14.09.2022

O.A.No.98 of 2022

J.S. PanditApplicant
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 Advocate for the Applicant seeks
time to file rejoinder.

3. Time granted. Adjourned to 12.10.2022.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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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><u>14.09.2022</u></p> <p><u>C.A 43/2022 in O.A 245/2022</u></p> <p>J.M Gund & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the M.P.S.C has filed Writ Petition No. 9358/2022 in July, 2022, before the Hon'ble Bombay High Court challenging the order of this Tribunal dated 1.4.2022 and the same is pending.</p> <p>3. In view of pendency of the Writ Petition, matter adjourned to 6.10.2022.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.857 of 2022</u></p> <p>Pramod P. Dahiwade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.S. Nandimath, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that in this case DPC was held and by letter dated 12.9.2022 it was communicated that applicant was not granted promotion. Copy of the said letter is furnished to the Ld. Advocate for the applicant. Ld. Advocate seeks leave to file MA for amendment.</p> <p>3. Leave granted.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 28.9.2022. The respondents are directed to file reply.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- Sd/- </p> <p style="text-align: center;">(Mridula Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.9.2022 14.9.2022</p> <p>(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.As. No.53/2015, 912/2015 & 1078/2016</u></p> <p>D.G. Deshmukh S.G. Deshpande & Ors. R.D. Wardhane & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.Y. Sakhare, Senior Counsel with Shri K.R. Jagdale, learned Advocates for the Applicants, Shri D.B. Khaire, Special Counsel with Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents, Shri U.V. Bhosle, Ld. Advocate for Respondent No.19 in OA No.912/2015 and Shri B.A. Bandiwadekar, Ld. Advocate for Respondent no.38 in OA.912/2015 and Respondents No.2 & 3 in OA No.1078/2016.</p> <p>2. Shri Vikram Nivrutti Dhamal, Under Secretary, PWD, Mantralaya, Mumbai files affidavit dated 14.9.2022 as per order dated 13.9.2022 passed by this Tribunal in respect of the discrepancies in the tabular chart submitted by the State.</p> <p>3. The Principal Secretary, PWD, is hereby directed to file affidavit on the following points:</p> <p>(a) Whether Rule 4(1) of Recruitment Rules of 1983 regarding publication of cadre strength to the post of Executive Engineer is followed regularly since 2004 till 2015?</p> <p>(b) Under what circumstances the State has power to take policy decision of not filling up strength of the post. In our view filling up of the posts may lead to burden the State Exchequer or services of these persons/posts are not required, as the State can work with the strength for which requisition is made and the then existing vacancies. Whether such requisitions are to be mentioned in the noting?</p> <p>(c) We are not satisfied with the information furnished to us by the department specially on the point of filling up the post of Executive Engineer from 40% of Assistant Executive Engineer from 1998-2010 disclosing the percentage of vacancies available and vacancies filled up and it is to be prepared similar to page 161 of OA No:912/2015 and which is page 59 of the judgment and order dated 10.5.2013 passed by this Tribunal in OAs. No.246/2012 & Ors. Shri V.N. Ashtapure & Ors. Vs. State of Maharashtra & Ors.</p>

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

Tribunal's orders

4. Shri B.A. Bandiwadekar, Ld. Advocate for Respondent No.38 in OA No.912/2015 submits that respondent no.38 wants to engage Senior Counsel and yesterday the Ld. Advocate has conference with the Senior Counsel. Shri Bandiwadekar prays under such circumstances he needs one week's time.
5. We note that we have made it clear to all the parties in the month of July, 2022 that these matters will be given preference and will be heard and we are hearing the matters of 2015 and these matters are one of the 4 to 5 matters of 2015. However, till today the State is not furnishing the correct information and the facts which were asked and there is a request from Ld. Advocate appearing for Respondent No.38 in OA No.912/2015. In view of this we grant time.
6. S.O. to 22.9.2022. However, the Principal Secretary, PWD is directed to file affidavit on or before 19.9.2022 and give copies to all concerned.
7. Shri A.Y. Sakhare, Senior Counsel at this stage places grievances of the applicants that DPC for promotion from the post of Executive Engineer to the post of Superintending Engineer has been held for the seniority list of 2015 which is under challenge in the present OA. In view of this fact he further submits that only one of the applicants is in the zone of consideration while remaining are from the cadre of Assistant Executive Engineer. He therefore prays that the process of promotion is to be stayed.
8. For reasons mentioned above and facts stated, we direct the State not to proceed for promotion to the post of Superintending Engineer from the cadre of Executive Engineer till we decide the matters.
9. S.O. to 22.9.2022.

Sd/-

(Medha Gadgil)
Member (A)
14.9.2022

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
14.9.2022

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p style="text-align: center;">O.A. No.910 of 2022</p> <p>S.G. YewaleApplicant 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. The Applicant has challenged suspension order dated 29.08.2022 whereby he is kept under suspension in contemplation of D.E. by the Government.</p> <p>3. Learned Advocate for the Applicant sought interim relief to stay suspension order.</p> <p>4. At this stage, I am not inclined to consider the issue of interim relief and it is kept open.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 28.09.2022.</p> <p>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>11. S.O. to 28.09.2022.</p> <p style="text-align: right;">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: 14.09.2022</p> <p align="center">O.A. No.758 of 2019</p> <p>R.B. Bhosale & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate 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 Nos.1 to 3. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 30.09.2022.</p> <p align="right">Sd/- ✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p align="center">O.A. No.343 of 2022</p> <p>H.K. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Urmila Pulekar, learned Advocate holding for Shri D. Pagare, learned Advocate 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 Affidavit-in-Reply.</p> <p>3. S.O. to 30.09.2022.</p> <p align="right">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: 14.09.2022</p> <p align="center">O.A. No.584 of 2022</p> <p>P.L. Baswant & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 30.09.2022.</p> <p align="right">Sd/- v (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: 14.09.2022</p> <p align="center">O.A. No.594 of 2022</p> <p>B.B. GawdeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Rejoinder but the same is not filed.</p> <p>3. Since, pleading is complete, O.A. be kept for Final Hearing.</p> <p>4. S.O. to 12.10.2022.</p> <p align="right">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: 14.09.2022</p> <p align="center">O.A. No.649 of 2022</p> <p>P.L. Baswant & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. 3. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. It is taken on record. 4. No separate Reply is filed on behalf of Respondent Nos.2 to 4. 5. O.A. be kept for hearing at the stage of admission. 6. S.O. to 12.10.2022. <p align="right"> Sd/- (A.P. Kurhekar) Member (J) </p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.09.2022</p> <p>O.A. No.710 of 2022</p> <p>V.T. Gurav,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance and also to take necessary steps for issuance of corrigendum, if so desire.</p> <p>3. S.O. to 30.09.2022.</p> <p style="text-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

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: 14.09.2022</p> <p align="center">O.A. No.741 of 2022</p> <p>K.B. BhagatApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate holding for Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 30.09.2022.</p> <p align="right">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: 14.09.2022</p> <p align="center">O.A. No.744 of 2022</p> <p>Dr. K.S. MadarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O. to 29.09.2022.</p> <p align="right">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: 14.09.2022</p> <p align="center">O.A. No.806 of 2022</p> <p>D.D. Harale,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 29.09.2022.</p> <p align="right">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: 14.09.2022</p> <p align="center">O.A. No.820 of 2022</p> <p>P.D. PadwalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 23.09.2022.</p> <p align="right">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: 14.09.2022</p> <p>O.A. No.831 of 2021</p> <p>V.R. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply by way of last chance since issue involved in the matter is very short.</p> <p>3. S.O. to 21.09.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 14.09.2022

O.A. No.898 of 2022

N.S. VaidyaApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. The Applicant has challenged order dated 23.09.2021 issued by office of Respondent No.4 thereby rejecting the claim of the Applicant for refund of Rs.4,93,033/- (Rupees Four Lakhs Ninety Three Thousand and Thirty Three Only) already recovered from him against excess payment made to him during the period of service.
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 11.10.2022.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

9. S.O. to 11.10.2022.

Sd/-

(A.P. Kurhekar)
Member (J)