

**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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| | <p>Date : 14.10.2021</p> <p>O.A.No.469 of 2012 with O.A.No.682 of 2013 with O.A.No.879 of 2015</p> <p>Dr. A.R. Tarale & Ors. (O.A.469/2012) Dr. M.B. Deolikar & Ors. (O.A.682/2013) Dr. G.P. Wadekar & Ors. (O.A.879/2015)</p> <p style="text-align: right;">....Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.469/2012, Mr. R.M. Sarada, learned Advocate for the Applicant in O.A.No.682/2013, Mr. N.Y. Chavan, learned Advocate for the Applicant in O.A.No.879/2015 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today this matter is fixed as the Respondent was to communicate the decision of the committee which was constituted. However, till now it is not communicated, hence we keep this matter on 20.10.2021 as these are very old matters of 2012, 2013 and 2015. We expect the Respondents to co-operate in disposing of the matters.</p> <p>3. Adjourned to 20.10.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha Gadgil) Member(J)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p style="margin-top: 10px;">prk</p> |

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| | <p style="text-align: center;"><u>O.A.461/2020</u></p> <p>Shri D.J. Ambilwade ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. The Applicant in person was present in the morning, but matter was adjourned to afternoon session on the request of learned P.O. to take instructions from the C.P.O. as well as from the Department.</p> <p>2. In Afternoon session, when matter is called, the Applicant is absent. The learned P.O. Mrs. K.S. Gaikwad submits that the matter is handled by the learned CPO, but due to illness, she is not able to remain present. She further stated that since this matter has chequered history, she needs to take detailed instructions to argue the matter. She, therefore, requested for grant of time.</p> <p>3. Time granted. Adjourned to 29th October, 2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 14.10.2021</p> <p>(skw)</p> |

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| | <p>Date: 14.10.2021</p> <p align="center">O.A. No.44 of 2021</p> <p>K.H. KurlekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Respondent No.2 appeared through Adv. Talekar but today none is present.</p> <p>3. Tribunal by order dated 15.01.2021 has granted interim relief by passing reason order. Neither there was approval of Hon'ble Chief Minister nor matter was placed before Civil Service Board (C.S.B.). The Applicant is retiring at the end of October 2021.</p> <p>4. Perusal of interim relief order reveals that initially by order dated 29.06.2019, on promotion the Applicant was shown posted at Washim but actually he was given posting at Taloja Central Prison, Navi Mumbai accordingly he joined there. However by impugned order he is transferred to the post of Superintendent, Washim District Prison before completion of normal tenure. Respondents had taken stand that the Applicant was given temporary posting at Taloja, and therefore, by impugned order 05.01.2021 he was simply sent to his original post at Washim. These contentions were turned down in interim order. Once Applicant had joined at Taloja Central Prison he was entitled for normal tenure and for mid-term and mid-tenure</p> <p align="right">[P.T.O.]</p> |

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transfer it requires approval by C.S.B. as well as approval of Hon'ble Chief Minister as contemplated under Section 4(5) of Transfer Act 2005 which is admittedly missing. Now the Applicant is retiring at the end of this month. This being the position interim relief deserves to be confirmed till his retirement.

5. Accordingly interim relief granted by the Tribunal on 15.01.2021 is confirmed till his retirement. O.A. is accordingly disposed of with no order as to costs.

Sd/-
(A.P. Kurhekar)
Member (J)

NMN

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.765 of 2021</p> <p>R.F. KhairnarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, 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. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 28.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

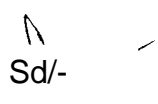
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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.707 of 2021</p> <p>S.K. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Respondent No.2 is served but absent.</p> <p>3. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>4. Adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 15.11.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p align="center">NMN</p> |

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Date: 14.10.2021

M.A. No.360 of 2020 in O.A. No.808 of 2020

B.R. SheelwantApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.A. Parab, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 17.11.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. 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.
7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 17.11.2021.

^
Sd/-

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

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| | <p align="center"><u>O.A. No.620 of 2021</u></p> <p>H.B. Shinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Interim relief to continue till next date.</p> <p>3. S.O. to 10.12.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 14.10.2021</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 14.10.2021</p> <p>(sgj)</p> |

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| | <p><u>OA.515, 516, 565 & 566 of 2021</u></p> <p>Dr. S.R. Burute (OA.515/2021) Dr. S.S. Desai (OA.516/2021) Dr. R.R. Bhosale (OA.565/2021) Dr. P.A. Patil (OA.566/2021) ..Applicants</p> <p>Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.R. Kulkarni, learned Advocate for the Applicants and Smt. Archana B. Kololgi, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants state that other similar matters like OA No.1233 of 2019 are placed on 23.11.2021. Hence, these matters be adjourned on the same day.</p> <p>3. S.O. to 23.11.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 14.10.2021 14.10.2021</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.203 of 2021</u></p> <p>M.R. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that reply will be filed during the course of the day.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 3.12.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 14.10.2021 14.10.2021</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.477 of 2021</u></p> <p>S.R. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Savita Suryawanshi holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. Archana B.K.. learned Presenting Officer for the Respondents.</p> <p>2. Interim relief to continue till next date.</p> <p>3. S.O. to 10.12.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 14.10.2021 (sgl)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 14.10.2021</p> |

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| | <p align="center"><u>14.10.2021</u></p> <p align="center"><u>O.A 636/2021</u></p> <p>Shri R.A Hire & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Ganesh Masurkar, holding for Shri C.T Chandratre, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicants, working as Full Time Teachers in Government Technical High School, Nasik prays that the Respondents be directed to constitute the Departmental Promotion Committee (D.P.C) for promotion in the services, namely, Maharashtra Education Services, Group-B (Technical) i.e. for the post of Principals, Vice-Principals of ITIs and the Head Masters of the Government Technical Schools.</p> <p>3. The issue in this matter is very short and for which in fact we don't require any affidavit in reply in view of the reliefs claimed.</p> <p>4. We asked the learned Presenting Officer to call the officers from the Respondent-Department, who are now present before this Tribunal.</p> <p>5. We made a query to the learned P.O as to when was the last meeting of the D.P.C held and when was the last promotion orders issued.</p> <p>6. On our query, we were informed by learned P.O that the last meeting of the D.P.C was held on 16.1.2014 and the last promotion orders were issued on 30.3.2015.</p> <p>7. Learned counsel for the applicants submit that as on today in all over Maharashtra, nobody from the cadre of the applicants were given the promotion and as on today approximately 284 posts are vacant.</p> <p>8. Learned P.O submits that the Respondents-Department could not hold the meeting of the D.P.C to give promotions to the applicants because the process of framing new recruitment rules is going on. She further submits that the Respondents have framed the draft Recruitment Rules and the same is submitted to the General Administration Department on 30.8.2021.</p> |

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| | <p>9. Thus, it is an admitted position that since 2014, no Departmental Promotion Committee meeting was held and from March, 2015 nobody was promoted by the Respondents-Department. The applicants fall in the said class so it is a legitimate expectation of the applicants to be considered for promotion. We make it clear that when there are existing rules, the process of promotion cannot be stayed by the Government for years together. It is a fundamental right of an employee to be considered for promotion.</p> <p>10. Hence, we direct the Respondent-Department to conduct the meeting of the Departmental Promotion Committee on the basis of the existing rules or new recruitment rules whichever are in force and complete the process on or before 1.1.2022.</p> <p>11. With the above direction, the Original Application stands disposed of.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> |

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| | <p>Date : 14.10.2021</p> <p align="center">O.A.No.325 of 2021</p> <p>V. D. SulochaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that the issue as to whether a Government servant is entitled to full pay and allowances after the period of 90 days^{of} the suspension is under consideration before Division Bench of this Tribunal and the same issue being involved in this O.A., the matter be adjourned.</p> <p>3. In view of above, O.A. is adjourned to 18.11.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.667 of 2019</p> <p>R.L. TayadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant as well as learned P.O. sought time for argument.</p> <p>3. S.O. to 28.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

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| | <p><u>14.10.2021</u></p> <p style="text-align: center;"><u>O.A 670/2021</u></p> <p>Shri A.S Chandanwale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. Madhavi Ayyappan a/w Krishna Agrawal i/b Talekar & Associates, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that on 6.10.2021 respondents have issued GR by which three posts of Joint Director, Medical Education and Research are created other than 3 existing posts. She submits that how these additional 3 posts are to be filled in is not mentioned in this GR. She also files affidavit dated 14.10.2021 wherein the applicant has taken a stand that in view of these additional posts there are many posts and in the event of plurality of posts vertical and horizontal reservation is required.</p> <p>3. In the midst of hearing of the Misc Application as we felt that certain clarifications on the point of reservation for differently disabled persons is required, hence we substantially heard the learned advocate for the applicant on Original Application.</p> <p>4. Learned P.O has submitted that the State Government has not yet taken decision in respect of the mode of filling up the three fresh newly created posts of Joint Director as per G.R dated 6.10.2021. The Government may or may not fill up these posts. Learned P.O further submits that pursuant to the directions of this Tribunal dated 6.9.2021, a Special Committee is constituted to consider the disability of the applicant covered under Sec 34 of the Rights of Persons with Disabilities Act, 2016 (hereinafter referred as 'Disabilities Act of 2016' for brevity).</p> <p>5. Learned P.O, on instructions from Ms Minakshi Ade, Chief Administrative Officer, Director, Medical Education & Research, Mumbai, states that the Special Committee will give its report within 15 days.</p> <p>6. The report of the Committee is necessary and may be a decisive factor in this matter. Hence, we wait for 15 days.</p> <p>7. Interim relief to continue till next date.</p> <p>8. S.O to 28.10.2021. It is expected that the Committee will submit the report and the same be placed before the Tribunal on the next date.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p> |

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| <p style="text-align: center;"><u>14.10.2021</u></p> <p style="text-align: center;"><u>O.A 774/2020</u></p> <p>Shri A.S Karkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.P Kamat, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. At the request of learned counsel for the applicant, matter is taken on Board. Learned counsel for the applicant submits that the matter was supposed to be heard today.</p> <p>3. We perused our order dated 28.5.2021 where we have admitted the matter and kept for final hearing on 10.8.2021.</p> <p>4. Learned P.O submits that in this matter learned C.P.O is appearing and she is admitted in hospital and she wants to discuss the matter and file additional affidavit in reply.</p> <p>5. Secondly, the Tribunal has taken up drive of hearing matters of the year 2012, 2013 and 2014.</p> <p>6. Hence, this matter will be heard on 14.12.2021.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Akn</p> | <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> |

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| | <p align="center"><u>M.A. No.424 of 2021 in O.A. No.799 of 2021</u></p> <p>U.R. Shinde & 4 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Smt. Archana B. Kololgi, learned Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 14.10.2021 14.10.2021</p> <p>(sgj)</p> |

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| | <p align="center"><u>M.A. No.426 of 2021 in O.A. No.800 of 2021</u></p> <p>Satish M. Katkar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula R. Bhatkar, J.) Member (A) Chairperson 14.10.2021 14.10.2021</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.800 of 2021</u></p> <p>Satish M. Katkar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicants seek exception to order of promotion dated 29.9.2021 issued by respondent no.2 by which respondents no.4 & 5 have been promoted from the post of Senior Clerk to Head Clerk and also prays for direction to respondents no.1 and 2 to prepare and publish year-wise seniority list in the clerical cadre from 2017.</p> <p>3. Ld. Advocate for the applicant submits that applicants have submitted representation on 4.10.2021 to the Director General of Police (DGP) wherein they have highlighted their grievances. Ld. Advocate submits that OA can be disposed of by giving directions to the DGP to decide the representation.</p> <p>4. In view of these submissions, we direct the DGP to decide their representation within a period two months and communicate the decision to the applicants within one week thereafter by effective service.</p> <p>5. With the above directions, OA is disposed off.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 14.10.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 14.10,2021</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p style="text-align: center;"><u>O.A. No.806 of 2021</u></p> <p>Bharat U. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.H. Pawar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant is challenging the provisional seniority list dated 7.7.2021 prepared by respondent no.2. The applicant has raised the objection to the provisional seniority list which is not yet decided by the respondents. Ld. PO to file reply on this point within five weeks.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 3.12.2021. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 14.10.2021 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 14.10.2021</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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| | <p align="center"><u>C.A. No.26 of 2020 in O.A. No.1125 of 2013</u></p> <p>P.S. Sakhare & 2 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that respondents have already send proposal to the Government for regularization of services of 3 candidates on 23.9.2021.</p> <p>3. The respondents to take decision within three weeks.</p> <p>4. S.O. to 18.11.2021.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 14.10.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 14.10.2021</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.724 of 2021</p> <p>A.M. DeokarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant, Smt Archana B.K., learned Presenting Officer for the Respondents and Shri Pravin Padave, learned Advocate for the Respondent No.2.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 29.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

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Tribunal's orders

Date: 14.10.2021

O.A. No.281 of 2018

R.J. Pandharpur

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

1. Heard Applicant-in-Person is present and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Shri V.V. Joshi, learned Advocate for the Applicant is on leave note.

3. The Applicant-in-Person requested for short time to appoint another counsel.

4. S.O. to 25.10.2021.

^
Sd/-

(A.P. Kurhekar)
Member (J)

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.385 of 2018</p> <p>S.S. RawleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Shri C.T. Chandratre, learned Advocate for the Applicant is on leave note. 3. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 4. S.O. to 28.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

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| | <p>Date : 14.10.2021</p> <p align="center">O.A.No.156 of 2021</p> <p>S. N. GhugeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan , learned Counsel for the Applicant and Smt Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the suspension order dated 08.10.2020. However, during the pendency of this O.A. he is reinstated in service by order dated 13.08.2021.</p> <p>3. Learned P.O. has tendered the copy of order dated 13.08.2021 to that effect. It is taken on record and marked by letter 'X'.</p> <p>4. In view of above, O.A. is disposed of with no order as to costs.</p> <p align="right">Sd/- _____</p> <p align="right">v.v. (A.P. Kurhekar) Member(J)</p> <p>vsm</p> |

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| | <p>Date : 14.10.2021</p> <p align="center">O.A.No. 323 of 2021</p> <p>D. G. VasgadekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has tendered the copy of proposal dated 06.10.2021 sent by Director General of Police to the Government recommending deemed date of promotion to the Applicant in the cadre of Deputy Superintendent of Police w.e.f. 12.02.2013. As such, now it is for the Government to take decision.</p> <p>3. In this O.A., grievances are twofold. Firstly, the deemed date of promotion in the cadre of PI from 21.05.2004 instead of 21.10.2005 as granted to him and secondly about the deemed date of promotion in the cadre of DySP. As per proposal dated 06.10.2021 referred to above, the Director General of Police has recommended the date of promotion w.e.f. 12.02.2013 whereas Applicant is claiming deemed date of promotion in the ^{Sd} same cadre from 27.05.2011.</p> <p>4. As such, even if this proposal referred to above is accepted. O.A. will have to be heard and decided on merit.</p> <p>5. On request of learned P.O., two weeks time is requested to file reply on behalf of Respondent No.2 so that the matter can be heard on its own merit.</p> <p>6. S.O. to 28.10.2021. Sd/- _____ [P.T.O.]</p> |

(A.P. Kurhekar)
Member(J)

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.548 of 2021</p> <p>I.G. ChappalwarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt K.S. Gaikwad, learned Presenting Officer for the Respondent is present. 3. On request of learned P.O. one week time is granted for filing Affidavit-in-Reply by way of last chance. 4. S.O. to 22.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.533 of 2021</p> <p>A.B. DhendeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. has been filed for direction to the Respondents to consider the representation for grant of Deemed Date of Promotion.</p> <p>3. Today learned P.O. has tendered copy of order dated 20.09.2021 passed by Respondent No.2 whereby the request of the Applicant for grant of Deemed Date of Promotion has been considered and rejected. Thus representation made by the Applicant is already considered during the pendency of O.A.</p> <p>4. In view of above, learned Advocate for the Applicant seeks permission to withdraw O.A. with liberty to challenge order dated 20.09.2021.</p> <p>5. Allowed to withdraw with liberty to challenge order dated 20.09.2021.</p> <p>6. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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| | <p>Date: 14.10.2021</p> <p>O.A. No.735 of 2021</p> <p>J.K. MazgaonkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri K.R. Jagdale, learned Advocate for the Respondent No.2.</p> <p>2. On request of learned P.O. and learned Advocate for Respondent No.2, two weeks time is granted for filing Reply by way of last chance, since O.A. needs to be expedited.</p> <p>3. S.O. to 28.10.2021.</p> <p style="text-align: right;">Sd/- Vv* (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p style="text-align: right;">[P.T.O.]</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.458 of 2021</p> <p>A.R. SalunkheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.B. Patil, learned Advocate holding for Shri S.K. Hande, 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. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 29.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.272 of 2021</p> <p>B.S. SuryawanshiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Advocate both are absent. 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. Today O.A. is for filing Rejoinder but the same is not filed. 4. Adjourned for hearing at the stage of admission. 5. S.O. 17.11.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">M.A. No.283 of 2021 in O.A. No.553 of 2021</p> <p>P.G. KulkarniApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Shri V.V. Joshi, learned Advocate has sent his leave note. 3. Smt. Archana B.K., learned Presenting Officer for the Respondent is present. 4. On request of learned P.O. two weeks time is granted for filing Reply to M.A. and O.A. 5. S.O. to 16.11.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">M.A. No.282 of 2021 in O.A. No.552 of 2021</p> <p>K.T. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Shri V.V. Joshi, learned Advocate has sent his leave note. 3. Smt. Archana B.K., learned Presenting Officer for the Respondent is present. 4. On request of learned P.O. two weeks time is granted for filing Reply to M.A. and O.A. 5. S.O. to 16.11.2021. <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.661 of 2021</p> <p>S.G. RautApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.R. Kori, learned Advocate holding for Shri R.G. Panchal, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 29.10.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">M.A. No.430 of 2021 in O.A. No.667 of 2021</p> <p>H.N. GangurdeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. This M.A. is filed for interim relief to keep one of the post of Electrical Inspector at Pune, Palghar, Mumbai (Lift Inspector) or Nashik vacant till the decision of O.A. 3. O.A. has been filed challenging transfer order dated 06.08.2021, admittedly the Applicant was due for transfer. The impugned order is challenged on the ground of competency. 4. Since, O.A. is already posted on 28.10.2021 for hearing at the stage of admission, it would be appropriate to decide O.A. on merit itself. 5. Learned P.O. is directed to file Reply to M.A. also on next date, if she desire. 6. O.A. will be heard on 28.10.2021 on merit. 7. S.O. to 28.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J) <i>[P.T.O.]</i></p> <p align="center">NMN</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.614 of 2021</p> <p>B.D. IngaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P.G. Kayande, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri A.M. Misal, learned Advocate for the Respondent No.2. 2. Enough time is granted for filing Affidavit-in-Reply but no Reply is filed by Respondent No.1. 3. Respondent No.2 has only filed Affidavit-in-Reply. 4. The Applicant stands retired in 2014 but he is deprived of Gratuity and regular Pension therefore O.A. deserves to be expedited. 5. O.A. kept for hearing at the stage of admission. 6. S.O. to 28.10.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p> |

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| | <p align="center">Date: 14.10.2021</p> <p align="center">O.A. No.807 of 2021</p> <p>T.V. PawarApplicant 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. The Applicant who is serving as Head Constable Writer and due for retirement on 30.11.2022. He has challenged order dated 23.08.2021 whereby recovery of Rs.2,24,745/- is sought towards excess payment made to the Applicant.</p> <p>3. Learned Advocate for the Applicant therefore prayed for interim relief in view of the decision of Hon'ble Supreme Court in <i>(2015) 4 SCC 334 (State of Punjab and others Vs. Rafiq Masih (White Washer))</i>. He has further pointed out that this issue is already dealt by this Tribunal in O.A. No.783/2018, Shri Pradeep G. Dalvi v/s. State of Maharashtra decided on 19.03.2019, wherein recovery was quashed.</p> <p>4. <i>Prima-facie</i> recovery at this stage is not permissible in view of decision in <i>Rafiq Masih</i> case (cited supra).</p> <p>5. In view of above, interim relief in terms of para 15(b) of O.A. is granted.</p> <p>6. Issue notice before admission returnable on 16.11.2021.</p> <p align="right">[P.T.O.]</p> |

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>11. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>12. S.O. to 16.11.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> |