

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2021</p> <p>M.A.No.406 of 2021 in O.A.No.772 of 2021</p> <p>V.A. WaghmareApplicant 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. The Applicant has filed M.A.No.406/2021 for condonation of delay of 1 year and 6 months in filing O.A.No.772/2021. The cause of action arose as the impugned order was issued on 07.01.2019. The limitation would start from one year thereafter i.e. after 06.01.2020. M.A. is filed on 14.09.2021. In view of the order of the Hon'ble Supreme Court in Suo Motu W.P (Civil) No. 3/2020, the delay was condoned after 15.3.2020. Thereafter, the Hon'ble Supreme Court in M.A 665/2021 in Suo Moto W.P (Civil) No.3/2020 by order dated 27.4.2021, extended the period of limitation.</p> <p>3. In view of the above, there is a delay of only 2 months. No affidavit-in-reply has been filed by the State. However, learned P.O. Mr. Chougule opposes to the M.A.</p> <p>4. In view of the orders of the Hon'ble Supreme Court the delay is condoned. M.A. is allowed.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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	<p><u>14.12.2021</u></p> <p style="text-align: center;"><u>O.A 509/2015</u></p> <p>Shri P.G Kolapte ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. In our order dated 26.10.2021, asked G.A.D to reply to some of the queries.</p> <p>3. Learned P.O has submitted reply to the queries as under:-</p> <p>(b) To inform whether the appointment to the posts filled in under Rules 3 & 5 are made through nomination are made till today.</p> <p style="padding-left: 40px;">Appointment to the post under Rules 3 & 5 are not made through nomination till 2009. Thereafter, 100% posts were filled in by promotion and nomination posts are kept aside till today.</p> <p>(c) To produce the proposal sent by the Maharashtra Sadan to G.A.D for seeking approval for the implementation of the G.R dated 18.10.1997 or the suggestions given by G.A.D for implementation of the 100 point roster to that proposal.</p> <p style="padding-left: 40px;">No proposal has been sent by Maharashtra Sadan to G.A.D for the implementation of the G.R dated 18.10.1997. However, in the year 2005 and 2009 Maharashtra Sadan has sent proposal for approval of the roster point.</p> <p>(d) The G.A.D is also called upon to answer the query, how the reservation of a particular point can be extended after three years, when it can be protected only for three years in view of the ratio laid down in the judgment of Hon'ble Supreme Court in R.K Sabharwal Vs. Union of India & Os reported in (1995) 2 SCC 745.</p> <p style="padding-left: 40px;">G.A.D has not extended reservation to a particular post beyond three years.</p> <p>4. S.O to 17.12.2021.</p> <p style="text-align: right;">Sd/- _____</p> <p style="text-align: center;">Sd/- _____</p> <p>(Medha Gadgil) Member (J)</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 14.12.2021</p> <p align="center">O.A.No.695 of 2018</p> <p>N.K. Chavan & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. submits that along with this matter there are other 5 similar matters i.e. O.A.No.1194/2019, O.A.No.312/2019, O.A.No.355 /2019, O.A.No.1196/2019 and O.A.No.1195/2019., wherein Advocate Mr. Irale Patil is appearing and all these matters can be kept under the caption of Final hearing on 12.01.2022.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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14.12.2021

O.A 327/2021 with O.A 286/2020

A.A Dabhade
R.Y Reddiyar ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents 1 & 2.

2. Admit.

3. Leave granted to file rejoinder and sur-rejoinder.

4. Place for final hearing on 8.2.2022.

Sd/-

Sd/-

(Medha Gadgil)
Member (J)

(Mridula Bhatkar, J.)
Chairperson

Akn

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	<p align="center"><u>14.12.2021</u></p> <p align="center"><u>O.A 344/2021</u></p> <p>Smt M.M Pawar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Leave granted to file rejoinder and sur-rejoinder.</p> <p>4. Place for final hearing on 8.2.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) Member (J) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>14.12.2021</u></p> <p align="center"><u>O.A 400/2021</u></p> <p>Shri P.B Jadhav & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents no 1 & 2 and Shri U.V Bhosle, learned counsel for Respondents no 3 to 6.</p> <p>2. Learned C.P.O produces copy of letter dated 13.12.2021 from the Under Secretary, G.A.D stating therein that the proposal sent by the Home Department is incomplete in respect of deemed date and hence it is returned back to Home Department on 12.12.2021. It is also mentioned that as and when the Home Department submits the file, G.A.D will clear the file within 3 weeks.</p> <p>3. We direct the Home Department to make specific statement when the file will be submitted to G.A.D.</p> <p>4. S.O to 17.12.2021.</p> <p align="center">Sd/- _____</p> <p align="center">(Medha Gadgil) Member (J)</p> <p align="center">Sd/- _____</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>14.12.2021</u></p> <p align="center"><u>O.A 519/2021</u></p> <p>Shri Y. B Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mrs Punam Mahajan, learned advocate for the applicant and Mrs K.S Gaikwad , learned P.O for the Respondents.</p> <p>2. Learned P.O submits that she has received the prar-wise remarks and she requires time to file affidavit in reply.</p> <p>3. S.O to 18.1.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (J)</p> <p>Akn</p> <p align="right">Sd/-</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>14.12.2021</u></p> <p align="center"><u>O.A 656/2021</u></p> <p>Dr T.T Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for Respondents no 1 & 2 and Mr V.V Gujar, learned counsel for Respondents 3 & 4.</p> <p>2. Admit.</p> <p>3. Liberty to file rejoinder and sur-rejoinder.</p> <p>4. Place for final hearing on 9.2.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (J) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>14.12.2021</u></p> <p align="center"><u>O.A 715/2021</u></p> <p>Smt K.R Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None for the applicant. Heard Mrs K.S Gaikwad, holding for Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Leave granted to file rejoinder and sur-rejoinder.</p> <p>4. Place for final hearing on 9.2.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (J) Chairperson</p> <p>Akn</p>

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	<p align="center"><u>14.12.2021</u></p> <p align="center"><u>O.A 690/2021</u></p> <p>R.M Desale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan,, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply. Same is taken on record.</p> <p>3. Learned counsel for the applicants seeks permission for leave to amend the Original Application on account of further development of rejection.</p> <p>4. Leave granted.</p> <p>5. S.O to 27.1.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (J) Akn</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>O.A 612/2013</u></p> <p>Smt V.V Shinde & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mr B.A Bandiwadekar , learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. This matter is of the year 2013. On the last occasion, learned counsel for the applicants sought time to take instructions.</p> <p>3. Learned counsel submits that the issue in the Original Application is only pertaining to the placement of applicants in the seniority list and there is no issue of promotion.</p> <p>4. Learned C.P.O is directed to take instructions in the matter and produce copy of the latest seniority list.</p> <p>5. S.O to 17.12.2021.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (J)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>14.12.2021</u></p> <p style="text-align: center;"><u>O.A 622/2021</u></p> <p>Shri P.R Koli ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, 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 applicant is allowed to retire on superannuation on 30.6.2021. Further proposal regarding pensionary benefits is submitted to the Government on 12.11.2021 and amount of GIS and P.F is already paid to the applicant. After getting approval from the Government, the Respondents will take steps to pay the pension and gratuity amount.</p> <p>3. S.O to 27.1.2022.</p> <p style="display: flex; justify-content: space-between;"> Sd/- (Medha Gadgil) Member (J) Sd/- (Mridula Bhatkar, J.) Chairperson </p> <p>Akn</p>

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	<p>Date : 14.12.2021</p> <p style="text-align: center;">M.A.No.247 of 2021 in O.A.No.220 of 2020</p> <p>D.M. Taware & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On instructions learned C.P.O. submits that the entire process of finalizing the Recruitment Rules of the posts of Supply Inspecting Officer / Zonal officers will take upto 6 months as the file has to move to various Departments including Law and Judiciary Department, M.P.S.C. and also His Excellency The Hon'ble The Governor of Maharashtra.</p> <p>3. In this matter it is contented by the learned Advocate for the Applicant that the promotions of the Naib Tahsildar from the Revenue Department are made from the seniority list made at Divisional Level. However, Rule which is applied by the Respondent-State to the present applicants who are officiating in the posts of Supply Inspecting Officer / Zonal officer is different and their promotions are to be made from the seniority list prepared at State Level. She further submits that as per the existing Rules of Food and Civil Supplies and Consumer Protection Department. the promotions are to be given to the cadre from the seniority list prepared at Divisional Level.</p>

[P.T.O.]

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4. The affidavit is not filed by the G.A.D. who is a party Respondent No.2. Hence, we are constrained to call the officer from G.A.D. to assist the Tribunal and especially on the point whether the Rules of promotions of Naib Tahsildar who are Group-B Gazetted Officers are in the process and if the file of such Rules is received by the G.A.D. and also produce the Recruitment Rules of Naib Tahsildar.

5. Adjourned to 04.01.2022.

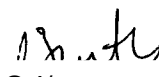
Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<p>Date : 14.12.2021</p> <p>O.A.No.772 of 2021</p> <p>V.A. WaghmareApplicant 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. Issue notice before admission made returnable on 27.01.2022.</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. 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. Adjourned to 27.01.2022.</p> <p style="text-align: right;">Sd/- </p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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	<p align="center"><u>M.A. No.561 of 2021 in O.A. No. 988 of 2021</u></p> <p>C.S. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable in MA on 4.1.2022. The respondents are directed to file reply. S.O. to 4.1.2022 for interim relief.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.12.2021 14.12.2021</p> <p>(sgj)</p>

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	<p style="text-align: center;"><u>O.A. No.998 of 2021</u></p> <p>D.C. Girase ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Ms. Madhavi Ayyappan i/b. Talekar & Associates, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 3.1.2022. The respondents are directed to file reply. S.O. to 3.1.2022 for interim relief.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>14.12.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>14.12.2021</p> </div> </div>

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	<p style="text-align: center;"><u>O.A. No.1006 of 2021</u></p> <p>S.K. Salve ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Madhavi Ayyappan i/b. Talekar & Associates, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 3.1.2022. The respondents are directed to file reply. S.O. to 3.1.2022 for interim relief.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.12.2021 14.12.2021</p> <p>(sgj)</p>

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	<p align="center"><u>O.A. No.1002 of 2021</u></p> <p>U.R. Bharati ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 22.12.2021. The respondents are directed to file reply. S.O. to 22.12.2021 for interim relief.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988. and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="right">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 14.12.2021 14.12.2021</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders																										
	<p><u>MA.244/19 in OA.1080/18 & 12 Ors.</u></p>																										
	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">A.S. Kharbude</td> <td style="width: 40%;">(MA.244/19 in OA.1080/18)</td> </tr> <tr> <td>A.J. Shinde</td> <td>(MA.245/19 in OA.1081/18)</td> </tr> <tr> <td>D.P. Salunkhe</td> <td>(MA.246/19 in OA.1082/18)</td> </tr> <tr> <td>V.V. Shivade</td> <td>(MA.247/19 in OA.1083/18)</td> </tr> <tr> <td>P.K. Patil</td> <td>(MA.248/19 in OA.1098/18)</td> </tr> <tr> <td>H.I. Shaikh</td> <td>(MA.249/19 in OA.1099/18)</td> </tr> <tr> <td>N.S. Tathavadekar</td> <td>(MA.250/19 in OA.1100/18)</td> </tr> <tr> <td>R.N. Deshpande</td> <td>(MA.251/19 in OA.1101/18)</td> </tr> <tr> <td>B.K. Naik</td> <td>(MA.252/19 in OA.1103/18)</td> </tr> <tr> <td>M.R. Kelkar</td> <td>(MA.253/19 in OA.1104/18)</td> </tr> <tr> <td>M.P. Khaire</td> <td>(MA.254/19 in OA.1105/18)</td> </tr> <tr> <td>D.B. Misal</td> <td>(MA.255/19 in OA.1106/18)</td> </tr> <tr> <td>A.V. Mahindrakar</td> <td>(MA.256/19 in OA.1107/18)</td> </tr> </table> <p style="text-align: right;">..Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO has filed application dated 10.12.2021 for speaking to minutes of the order dated 9.12.2021 passed in the above matters on the basis of order dated 8.12.2021 passed by the Hon'ble Bombay High Court, Bench at Nagpur in W.P. No.5031/2021 with W.P. No.5034/2021.</p> <p>3. Ld. PO wants that para 3 of the order dated 9.12.2021 is to be deleted as on miscommunication the Ld. PO has made statement that the Hon'ble Bombay High Court, Nagpur Bench has stayed the orders of the Tribunal.</p> <p>4. Ld. Advocate for the applicants has no objection.</p> <p>5. Hence, para 3 of the order dated 9.12.2021 passed in the above matters stands deleted.</p> <p>6. Application for speaking to minutes is disposed off.</p>	A.S. Kharbude	(MA.244/19 in OA.1080/18)	A.J. Shinde	(MA.245/19 in OA.1081/18)	D.P. Salunkhe	(MA.246/19 in OA.1082/18)	V.V. Shivade	(MA.247/19 in OA.1083/18)	P.K. Patil	(MA.248/19 in OA.1098/18)	H.I. Shaikh	(MA.249/19 in OA.1099/18)	N.S. Tathavadekar	(MA.250/19 in OA.1100/18)	R.N. Deshpande	(MA.251/19 in OA.1101/18)	B.K. Naik	(MA.252/19 in OA.1103/18)	M.R. Kelkar	(MA.253/19 in OA.1104/18)	M.P. Khaire	(MA.254/19 in OA.1105/18)	D.B. Misal	(MA.255/19 in OA.1106/18)	A.V. Mahindrakar	(MA.256/19 in OA.1107/18)
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	<p align="center"><u>C.A. No.48 of 2021 in O.A. No.935 of 2017</u></p> <p>S.R. Koli ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that they will submit a letter/affidavit regarding compliance of clause (C) of the order dated 15.12.2020 passed by this Tribunal in the above OA.</p> <p>3. We have noticed that the Chief Secretary of the Government of Maharashtra made party-respondent no.1 in personal capacity in this contempt proceeding. We enquired about the responsibility and role of the Chief Secretary in compliance of the order in this CA.</p> <p>4. We are informed by Ld. Advocate for the applicant that Chief Secretary is made party-respondent in the proceedings before this Tribunal as per the oral directions of earlier Chairman approximately in 2014. Ld. Advocate submits that in order to avoid the delay or proper service the Chief Secretary is routinely made party respondent.</p> <p>5. Now, we clarify by this judicial order that the Chief Secretary is not to be made party respondent unless he is concerned with the illegality.</p> <p>6. S.O. to 23.12.2021.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 14.12.2021 14.12.2021</p> <p>(sgj)</p>

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	<p align="center"><u>C.A. No.49 of 2021 in O.A. No.652 of 2021</u></p> <p>J.M. Kawade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Savita Suryawanshi with Shri A.R. Joshi holding for Shri V.V. Joshi, learned Advocates for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant and Ld. PO both submits that the order dated 20.10.2021 of the Tribunal is complied with and applicant is reposted in her original post vide letter dated 13.12.2021.</p> <p>3. Since the order of the Tribunal is complied with, we dispose off this CA. CA disposed off accordingly.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A) 14.12.2021 (sgj)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson 14.12.2021</p>

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	<p style="text-align: center;"><u>C.A. No.53 of 2021 in O.A. No.1091 of 2017</u></p> <p>R.A. Shaikh & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. For compliance of the order dated 9.5.2019 passed by this Tribunal in the above OA, Ld. PO submits that they will take instructions from the Government on the point of condonation of delay as per clause (C) of the order dated 9.5.2019. Ld. PO further submits that applicant's name is already included in the waiting list.</p> <p>3. S.O. to 22.12.2021.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) 14.12.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson 14.12.2021</p> </div> </div>

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	<p>Date : 14.12.2021</p> <p style="text-align: center;">C.A.No.22 of 2021 in O.A.No.21 of 2017</p> <p>A.A. PawarApplicant 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. In this O.A. the learned P.O. submits that pursuant to the order passed by the Hon'ble High Court dated 04.05.2017, wherein it is observed that in the posts reserved for woman sports category, backward class can compete and the process of appointment of Ms. Sapna Kamble in one of the 9 posts was going on before this Tribunal passed order in this O.A.</p> <p>3. The learned Advocate Mr. Bandiwadekar points out that this is reserved post for Open Female and therefore Mr. Mahesh Deshpande cannot be appointed on this post as the horizontal migration is upheld by the Hon'ble Supreme Court in the case of Saurav Yadav & Ors. Versus State of Uttar Pradesh & Ors, reported in (2019) 14 SCC 692 and also by the Tribunal. He further submits that one post in open female is to be kept vacant today as the name of Ms. Sapna Kamble is only recommended and she is not yet appointment.</p> <p>4. The learned P.O. submits that the M.P.S.C. be allowed to file short affidavit to clarify the confusion regarding the recommendation of Ms. Sapna Kamble on the basis of the order of the Hon'ble High Court and if not recommended then the M.P.S.C. to face the Contempt of the order of the Hon'ble High Court.</p> <p style="text-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>5. The M.P.S.C. my file short affidavit clarifying the position specifically about the recommendation of Ms. Sapna Kamble so also recommendation of Mr. Mahesh Deshpande on the reserved Open Female category.</p> <p>6. It is noted that the M.P.S.C did not say a word in the affidavit in the O.A. in respect of the recommendation of Ms. Sapna Kamble. The submissions of learned advocate expressing apprehension that if all the posts are filled up out of 9 posts then the order of the Tribunal will frustrate in substance and therefore we direct the Respondents to keep one post of Open Female Category vacant.</p> <p>7. Adjourned to 06.01.2022.</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>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 : 14.12.2021</p> <p style="text-align: center;">M.A. No.407 of 2021 in M.A.No.425 of 2021 in O.A.No.663 of 2021</p> <p>NGO Nursing Asso. Akluj, Malshiras, Solapur thourgh President Dr.R.R. JawanjaiApplicant (Intervener)</p> <p>K. S. AdheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent No.1 and Smt. Rekha Musale, learned Counsel for Respondent No.2. Smt. Malika Pujari holding for Shri Ashok Tajane, learned Counsel for Intervener. 2. Today, learned Counsel for the Applicant has filed reply to intervention application. It is taken on record. Learned Counsel has also filed Rejoinder, it is also taken on record. 3. The matter is adjourned for hearing at the stage of admission. 4. Interim relief to continue till next date. 5. S.O. to 10.01.2022. <p style="text-align: right; margin-right: 20px;">^ Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p style="text-align: right; margin-right: 100px;">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.10.2021</p> <p style="text-align: center;">O.A. No.1037 of 2019 with O.A. No.1039 of 2019 to O.A. No.1042 of 2019 with O.A. No.1237 of 2019 to O.A. No.1241 of 2019</p> <p>Dr. G.B. Taware Dr. V.A. Nadimath Dr. P.M. Sharebkausar Dr. N.B. Masaram Dr. V.P. Doijad C.G. Patil Dr. M.M. Pawar Dr. P.R. Dhumal Dr. P.N. Rathi Dr. A.B. PandavApplicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants in O.A. No.1037/19 with O.A. No.1039/19 to O.A. No.1042/19, Ms. S.T. Suryawanshi, learned Advocate holding for Shri K.B. Bhise, learned Advocate for the Applicant in O.A. No.1237/19 to O.A. No.1241/19 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ms S. T. Suryawanshi, learned Counsel holding for Shri Bhise, learned Counsel for the Applicants requested for adjournment on the ground that Advocate Shri Bhise is unable to come from Aurangabad.</p> <p>3. Interim relief to continue till next date.</p> <p>4. The matter is adjourned for final hearing.</p> <p>5. S.O. to 04.01.2022.</p> <p style="text-align: right;">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>VSM</p>

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	<p>Date : 14.12.2021</p> <p align="center">O.A.No.601 of 2021</p> <p>M. S. PawarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, the matter is for hearing at the stage of admission without reply since the Respondents failed to file reply within time granted by the Tribunal. 3. However, learned P.O. requested to take reply on record. 4. Allowed to file the same. It is taken on record. 5. Arguments heard. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center">Date: 14.12.2021</p> <p align="center">O.A. No.146 of 2021</p> <p>S.A. BhosaleApplicant 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. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondents. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant, three weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 04.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.12.2021</p> <p align="center">O.A. No.862 of 2021</p> <p>T.B. VhanmaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Learned Presenting Officer, Smt. Archana B.K. is present. 3. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply. 3. S.O. to 09.01.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.12.2021</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. 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 10.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.12.2021</p> <p align="center">O.A. No.797 of 2021</p> <p>B.D. 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. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 05.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.12.2021</p> <p align="center">O.A. No.654 of 2021</p> <p>S.R. SheteApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Asawari Ghate, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of Respondents. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. Interim relief to be continued.</p> <p>5. S.O. to 11.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.12.2021</p> <p align="center">M.A. No.567 of 2021 in O.A. No.805 of 2021</p> <p>Dr. Amit SarafApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Sonali Pawar, learned Advocate holding for Shri V.P. Sangvikar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for restoration of O.A. No.805/2021 which was dismissed in default for non compliance of filing of service Affidavit before three days of returnable date in terms of order of the Tribunal dated 27.10.2021.</p> <p>3. Learned Advocate for the Applicant submits that inadvertently Affidavit was filed belatedly and Respondents are served. She therefore requested to restore O.A.</p> <p>4. In the interest of justice O.A. is restored to the file so as to decide the matter on merit. M.A. is accordingly allowed with no order as to costs.</p> <p align="right">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 14.12.2021</p> <p>O.A. No.805 of 2021</p> <p>Dr. Amit SarafApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Sonali Pawar, learned Advocate holding for Shri V.P. Sangvikar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. was dismissed by the Office for non compliance of condition order dated 27.10.2021. However, today Tribunal restored the O.A. in view of order passed in M.A. No.567/2021.</p> <p>3. Respondents are already served.</p> <p>4. Three weeks time is granted for filing Affidavit-in-Reply to learned P.O.</p> <p>5. S.O. to 10.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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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: 14.12.2021</p> <p align="center">M.A. No.559 of 2021 in O.A. No.986 of 2021</p> <p>U.V. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. This M.A. is filed for Condonation of delay of 2 years and 7 months caused in filing O.A. No.986/2021. 3. Issue notice before admission returnable on 18.01.2022. 4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 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. 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.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 18.01.2022.</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 align="center">Date: 14.12.2021</p> <p align="center">O.A. No.1005 of 2021</p> <p>S.G. ParabApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant filed the present O.A. challenging the order of punishment of stoppage of increments for period of 2 years with cumulative effect and also challenged appeal and review order dated 15.01.2020 and 23.08.2021 respectively, confirming the order of punishment imposed by disciplinary authority.</p> <p>3. Issue notice before admission returnable on 18.01.2022.</p> <p>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>7. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. [P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>9. S.O. to 18.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>