

**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: 14.12.2023</p> <p align="center">O.A. No.1538 of 2023 with O.A. No.1547 of 2023</p> <p>S.S. More P.B. MatondkarApplicant 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. Learned Advocate for the Applicant stated that 'Transport Commissioner, Mumbai' by Transfer Order dated 06.11.2023 has posted the Applicants who are Assistant Inspector of Motor Vehicles from the office of 'R.T.O., Mumbai Central' to office of 'R.T.O., Andheri (West)'. He states that the procedures regarding 'General Transfers: 2023' of 'Assistant Inspectors of Motor Vehicle' were started by 'Transport Commissioner, Mumbai' by sending letters on 24.09.2023 to 'Assistant Inspectors of Motor Vehicle' directing them to submit their 10 Options by 'email' on or before 28.09.2023 as they had completed 'Normal Tenures' of 3 years as on 31.05.2023. The letter of 'Transport Commissioner, Mumbai' dated 24.09.2023 by way of 'Annexure' had also indicated the 'Number of Posts' of 'Assistant Inspector of Motor Vehicles' which would be available for 'General Transfers: 2023' in the 52 Subordinate Offices under 'Transport Commissioner, Mumbai'.</p> <p>3. Learned Advocate for Applicant then referred to another letter of the 'Transport Commissioner, Mumbai' dated 11.10.2023 by which these 'Assistant Inspector of Motor Vehicle' were subsequently instructed to submit supportive documents in relation</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>to their claims of 'Order of Precedence' as mentioned under 'Annexure-2' of 'Schedule 1' of G.A.D. G.R. dated 09.04.2018.</p> <p>4. Learned Advocate for the Applicant thereupon stated it is evident from Transfer Order dated 06.11.2023 that postings of 'Assistant Inspector of Motor Vehicles' have been effected by using 'Computerized Transfer System'. The exercise of 'General Transfer: 2023' had been undertaken belatedly from 24.09.2023 to 06.11.2023. He also states that 'C.S.B.' constituted by 'Transport Commissioner, Mumbai' was not as per guidelines in GAD GR dated 31.01.2014. Further the 'Transport Commissioner, Mumbai' was not 'Competent Transferring Authority' to have unilaterally approved such <i>de-facto</i> 'Mid Term' postings of 'Assistant Inspector of Motor Vehicle' without obtaining prior approval of next 'Superior Transferring Authority' who is the 'Minster-in-Charge' of 'Transport Department'.</p> <p>5. Learned P.O. then states that the postings of 'Assistant Inspector of Motor Vehicles' have been effected by 'Transport Commissioner, Mumbai' for the first time using 'Computerized Transfer System' for greater transparency and after preparation of 'SOP' as per approval granted by Home Department (Transport) GR dated 28.06.2023 The provisions of law under 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' have been observed while using the 'Computerized Transfer System'. The recommendations of 'C.S.B.' were submitted to 'Transport Commissioner, Mumbai' by following guidelines in G.A.D. G.R. dated 09.04.2018. She therefore stated that no case of 'Interim Relief' has been made out by the Applicants.</p> <p>6. The Order' dated 06.11.2023 issued by of 'Transport Commissioner, Mumbai' in respect of the Applicants who are 'Assistant Inspectors of Motor Vehicles' itself mentions that it has been done by using 'Computerized Transfer System'. The 'Computerized Transfer System' which has been used for first time to transfer 'Assistant Inspectors of Motor Vehicle' has probably been developed in-house by the office of 'Transport Commissioner, Mumbai'. The 'Home</p>

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	<p>Department (Transport) G.R. dated 28.06.2023' does not disclose which agency was authorized to develop the 'Computerized Transfer System' for 'Transport Commissioner, Mumbai'. Further the 'Home Department (Transport) G.R. dated 28.06.2023' also does not mention anything about concurrence taken from G.A.D. before the 'Computerized Transfer System' was put to implementation by 'Transport Commissioner, Mumbai for 'General Transfer: 2023'. Therefore it is still in the realm of unknown if the 'Computerized Transfer System' before being put to use by 'Transfer Commissioner, Mumbai' for 'General Transfer: 2023' of 'Assistant Motor Vehicle Inspectors' had been duty approved by any 'Competent Authority' or 'High Level Committee' and certified to be in conformity with provisions of law viz. 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'.</p> <p>7. The implementation of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' requires due application of mind at all stages for transfer of Government Servants; beginning with recommendations of the 'C.S.B.' and thereupon approval of 'Competent Transferring Authority' and prior approval of next Superior Transferring Authority. The 'Computerized Transfer System' is expected to have incorporated guidelines issued from time to time about transfer of Government Servants including those in G.A.D. G.R. dated 09.04.2018.</p> <p>8. The 'Transport Commissioner, Mumbai' by letter dated 20.10.2023 after having implemented the 'Computerized Transfer System' for 'General Transfer : 2023' of 'Assistant Inspectors of Motor Vehicle' had</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>submitted detailed report to 'Principal Secretary (Transport), Home Department' with 'Analysis of Data' including count of 'Assistant Inspector of Motor Vehicle' who got posting orders as per their choices ranging from 'Option No. 1' to 'Option No. 10'.</p> <p>9. The report submitted by 'Transport Commissioner, Mumbai' to 'Principal Secretary (Transport), Home Department, on 20.10.2023 states that since transfers of 'Assistant Inspector of Motor Vehicles' who were due for 'General Transfers: 2023' were being done after the 31st May, 2023; it requires 'ex-post facto' approval of 'Hon'ble Chief Minister of Maharashtra State' who is also 'Minister-in-Charge' of the 'Transport Department'. Hence it is evident that though 'Transport Commissioner Mumbai' belatedly sought to effect 'General Transfers: 2023' of 'Assistant Inspectors of Motor Vehicles'; they were admittedly 'Mid-Term' transfers under Section (4)(ii) and 4(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. Further if these transfers of 'Assistant Inspector of Motor Vehicles' are to be categorized as per law to be 'Mid-Term' transfers; then requisite conditions required to be fulfilled such as recording of 'Special Reasons' and 'Exceptional Circumstances'; must happen and these could not have just been simply completion of 'Normal Tenure' of 3 Years because law has not only distinguished the 'Criteria for Transfers' and but also differentiated the 'Levels of Competence'. Further, the members of 'C.S.B.' who were required to collectively apply their minds while submitting recommendations; now seem to have got substituted by the inanimate 'Computerized Transfer System'. The members of 'C.S.B.' it appears have rather limited role now of just to 'Sign Printouts' generated by algorithms embedded in the implementation of 'Computerized Transfer System'. Thus, many questions relating to the 'Computerized Transfer System' are bound to arise as its lies at the intersection of 'Statute' and 'Technology'. Nonetheless; the initiative of 'Transport Commissioner, Mumbai' to devise 'Computerized Transfer System' for 'General Transfer: 2023' of 'Assistant Inspector of Motor Vehicle' is certainly appreciable. The legal validity of the 'Computerized Transfer System' will thus have to be established by the 'Transport Commissioner Mumbai'</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>against backdrop of the wide canvas of laws & rules as well as policy guidelines of State Government. The 'Computerized Transfer System' will undoubtedly have to pass the tests of principles laid down in landmark judgments of 'Hon'ble Supreme Court of India' and 'Hon'ble High Court of Bombay' relating to transfers of Government Servants.</p> <p>10. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>11. Issue notice before admission returnable on 11.01.2024.</p> <p>12. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>13. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>14. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>15. 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>16. S.O. to 11.01.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

**MHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Case No. _____
Date _____

PARAD CONTINUATION PAGE NO.

The Memoranda of the case
is/are vide order
of Registrar dated _____

M.A.770/2023 in O.A.1545/2023

S.M. Patil & Ors. ... Applicants
Vs. ... Respondents
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.V. Waghmare, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.

2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

Sd/-
(Medha Gadgil)
Member-A
14.12.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

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


Tribunal's orders

O.A.1494/2023

B.D. Shelar ... **Applicant**
Vs.
The State of Mah. & Ors. ... **Respondents**

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned PO for Respondents.
2. Issue notice returnable on 12.01.2023.
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 O.A. 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. 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.
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.
8. S.O. to 12th January, 2024.

Sd/-
(Medha Gadgil)
Member-A
14.12.2023

Sd/- 
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

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**MARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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ion No.

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FARAD CONTINUATION SUBJECT NO.

Memoranda of Cases
Tribunal's orders
of Registrar's orders

O.A.1528/2023

A.P. Singh**... Applicant****Vs.****The State of Mah. & Ors.****... Respondents**

1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned PO for Respondents.
2. The learned PO submits that the Applicant has given the address of UP and Dahisar while submitting his pension papers. He has given the address of Tardeo on 21.01.2023.
3. The learned PO states that Applicant was residing at Javhar and all other official communication was received by him at the same address.
4. The learned PO produces a copy of Light Bill dated 8th December, 2023. The same is taken on record.
5. The learned PO in addition submits that charge-sheet is also served at his Dahisar and UP address. On UP address, it was written as "Left", Dahisar address, it was written as "Left" and on Javhar address, it was written as "Unclaimed". Therefore, the Department had conducted Panchnama and pested it on the Door.
6. S.O. to 16th January, 2024.

Sd/-

(Medha Gadgil)
Member-A
14.12.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
14.12.2023

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

Tribunal's orders

O.A.1532/2023

K.S. Binnar

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
2. Issue notice returnable on 22.01.2024.
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 O.A. 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. 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.
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.
8. S.O. to 22nd January, 2024.

Sd/-

(Medha Gadgil)
Member-A
14.12.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
14.12.2023

**MHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Case No.

FARAD CONTINUATION SHEET NO.

See Memoranda of Cases
Tribunal's orders and
of Registrars' orders

O.A.1423/2023

A.A. Chavan

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.

2. S.O. to 22th December, 2023.

Sd/-
(Medha Gadgil)
Member-A
14.12.2023
(skw)

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Case No. 100-14172-1

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FARAD CONTINUATION SHEET NO.

Office Memoranda of Central
Tribunal's and
of Registrar's and

O.A.930/2023

S.M. Hirave & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri A.S. Raktade, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.

2. S.O. to 22th December, 2023.

Sd/-
(Medha Gadgil)
Member-A
14.12.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MEMORANDUM**

Case No. _____ of 2015

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FARAD CONTINUATION SHEET NO.

Office Memoranda of Cases
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and Registrar's orders

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

Tribunal's orders

O.A.1568/2023

Dr. A.D. Ghule & Ors. ... Applicants
Vs. ... Respondents
The State of Mah. & Ors. ... Respondents

1. Heard Smt. A.P. Madhuri, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
2. Liberty is granted to move in the Vacation.
3. Issue notice returnable on 15.01.2024.
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 O.A. 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. 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.
8. 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.
9. S.O. to 15th January, 2024.

Sd/-
(Medha Gadgil)
Member-A
14.12.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

Case No.

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FARAD CONTINUATION SHEET NO.

See Memoranda of Cases
Tribunal's orders and
of Registrar's office

O.A.1564/2023

R.T. Kedari

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned PO for Respondents.

2. S.O. to 15th January, 2024 in Urgent Admission Caption.

Sd/-

Sd/-

(Medha Gadgil)
Member-A
14.12.2023

(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

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

Tribunal's orders

O.A.1555/2023

S.L. Ingawale ... **Applicant**
Vs.
The State of Mah. & Ors. ... **Respondents**

1. Shri A.A. Gharte, learned Advocate for the Applicant is absent. Heard Ms. S.P. Manchekar, learned CPO for Respondents.
2. Issue notice made returnable on 08.01.2024.
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 O.A. 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. 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.
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.
8. S.O. to 08th January, 2024.

Sd/-
(Medha Gadgil)
Member-A
14.12.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

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

Tribunal's orders

O.A.1545/2023

S.M. Patil & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri S.V. Waghmare, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
2. This matter pertains to appointment of EWS Category candidates. We make it clear that the Judgment of Bombay High Court in respect of EWS Category candidates is awaited. The judicial propriety requires not to decide this matter at this stage.
3. Issue notice made returnable on 08.01.2024.
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 O.A. 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. 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.
8. 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.

9. S.O. to 08th January, 2024. A. //

Sd/-

(Medha Gadgil)
Member-A
14.12.2023

Sd/-

(Mridula Bhatkar, J.)
Chairperson
14.12.2023

**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: 14.12.2023</p> <p align="center">M.A. No.776 of 2023 in O.A. No.1562 of 2023</p> <p>D.B. Tamhane & Ors.,Applicant 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. The Applicants by M.A. No.776 of 2023 in O.A. No.1562 of 2023 are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in this M.A. No.776 of 2023, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite Court Fees, if not already paid. M.A. No.776 of 2023 is accordingly disposed off.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">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 _____

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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: 14.12.2023</p> <p align="center">O.A. No.1562 of 2023</p> <p>D.B. Tamhane & Ors.,Applicant 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. Learned Advocate for Applicant has challenged the directions given by letter dated 11.12.2023 of 'Transport Commissioner, Mumbai' to (i) 'R.T.Os Pune & Ahmednagar and (ii) Deputy R.T.O. Shirampur' wherein they have been directed to submit options given by 'Assistant Inspectors of Motor Vehicle' who are to be redeployed on account of approval granted to revised 'Staffing Pattern' of Transport Department as per 'Home Department' G.R. dated 23.09.2022.</p> <p>3. Learned Advocate for the Applicant then refers to 'Home Department' G.R. dated 23.09.2022 which shows total posts of 'Assistant Inspector of Motor Vehicle' as per earlier 'Staffing Pattern' to be 1302 and as per revised 'Staffing Pattern' to be 1094 and she states that therefore 208 post of 'Assistant Inspector of Motor Vehicle' have been abolished from 23.09.2022. She further states that thereafter 'Home Department' G.R. dated 23.06.2023 was issued to re-distribute these 1094 post of 'Assistant Inspector of Motor Vehicle' across all offices of R.T.Os under the 'Transport Commissioner, Mumbai'. She also states that office of 'Pune R.T.O.' will now have 45 posts as against 59 posts of 'Assistant Inspector of Motor Vehicle'.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned Advocate for the Applicant states that on account of approval of revised 'Staffing Pattern' as per 'Home Department' G.R. dated 23.09.2022 and now belated implementation; some 'Assistant Inspector of Motor Vehicle' including Applicants apprehend that as per letter dated 11.12.2023 written to (i) 'R.T.Os Pune & Ahmednagar and (ii) Deputy R.T.O. Shirampur' they will soon be transferred to 24 identified posts of 'Assistant Inspector of Motor Vehicle' shown as available in 'Annexure A' (तकता-अ) of 'Transport Commissioner, Mumbai' letter dated 11.12.2023. She stressed that no specific criteria or methodology has been mentioned in 'Transport Commissioner, Mumbai' letter dated 23.09.2023 for identifying which of the 'Assistant Inspector of Motor Vehicle' out of 59 who are presently serving in 'R.T.O. Pune' are to be redeployed and whether it will be by way of 'Seniority in Service' or by way of 'Seniority of Tenure' amongst those serving under 'R.T.O. Pune'. Further she also mentioned that the entire procedure in eventuality of abolition of posts & redeployment of employees as in the cases 'Assistant Inspectors of Motor Vehicle' should be done as per 'Finance Department' G.R. dated 10.09.2001 by which the junior most employees are to be identified and their names forwarded in the 'Surplus Cell'. Learned Advocate for Applicants states that this elaborate procedure has been given complete go by 'Transport Commissioner, Mumbai' letter of 'Transport Commissioner, Mumbai' dated 11.12.2023 to (i) 'R.T.Os Pune & Ahmednagar and (ii) Deputy R.T.O. Shirampur'.</p> <p>5. Learned P.O. states that she needs time to take instructions in this regard from office of 'Transport Commissioner, Mumbai'.</p> <p>6. The letter of 'Transport Commissioner, Mumbai' dated 11.12.2023 to (i) 'R.T.Os Pune and Ahmednagar and (ii) Deputy R.T.O. Shirampur' gives direction to submit options given by 'Assistant Inspector of Motor Vehicle' who are to be redeployed and to submit them by 15.12.2023 to the office of 'Transport Commissioner, Mumbai'.</p> <p>7. The letter of 'Transport Commissioner, Mumbai' dated 11.12.2023 also mentions that the 'Assistant Inspector of Motor Vehicle' who have been identified to be redeployed must be amongst those who would be</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>due for transfer in 'General Transfer; 2024'. Hence, it appears that the exercise proposed to be undertaken as per letter of 'Transport Commissioner, Mumbai' dated 11.12.2023 is mix of redeployment of so 'Assistant Inspectors of Motor Vehicle' based on revised 'Staffing Pattern' and an initiative in advance with regard to 'General Transfers; 2024'. Hence, the nature of this proposed exercise needs to be elaborately clarified by learned PO before grant of any 'Interim Relief' can be considered as prayed for by Applicants.</p> <p>8. The 'Transport Commissioner, Mumbai' in the meanwhile may receive the options as has been sought from 'Assistant Inspectors of Motor Vehicle' (i) 'R.T.Os Pune & Ahmednagar and (ii) Deputy R.T.O. Shirampur' upto 15.12.2023, but in respect of those 'Assistant Inspector of Motor Vehicles' who are serving under 'R.T.O Pune', no further course of action be taken till 'Next Date'.</p> <p>9. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>10. Issue notice before admission returnable on 20.12.2023.</p> <p>11. 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>12. 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

13. 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.

14. 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.

15. S.O. to 20.12.2023.

Sd/-
(Debashish Chakrabarty)
Member (A)

NMN

**MHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

Case No.

FARAD CONTINUATION SHEET NO.

Office Memoranda of Cases
Tribunal's orders and
of Registrars' orders.

O.A.1560/2023

B.M. More & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri S.S. Raktade, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned PO for Respondents.

2. In the present OA, the Applicants who have applied for the post of Craft Instructors prays that the Provisional Selection Lists qua Female Candidates should be revised and further submits that the Female Reservation is to be provided only to those Female Candidates who were opted 'Yes' while submitting their On-line Examination Forms.

3. The learned Advocate for the Applicants prays for 'Interim Relief'.

4. However, Shri K. R. Jagdale, learned Advocate for the Interveners submits that he wants to move an application for intervention or Interveners should be added as Party Respondents. The learned Advocate for the Interveners submits that if any order of 'Interim Relief' is given in this matter, the Interveners will be going to be adversely affected.

5. Shri S. S. Raktade, learned Advocate submits that he will add 3 Interveners as Party Respondent Nos.4, 5 & 6 today itself.

6. Shri K.R. Jagdale, learned Advocate for the Interveners further submits that OA No.996/2023 was moved before MAT, Aurangabad Bench for 'Interim Relief' with an identical prayer. However, 'Interim Relief' is refused today by order of 14.12.2023.

7. Issue notice returnable on 03rd January, 2024.

8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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9. 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.

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

11. 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.

12. 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.

13. S.O. to 03rd January, 2024.

Sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

**MHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

ation No. of 20

FARAD CONTINUATION SHEET NO.

Office Memoranda of Coram, Tribunal's orders or Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.1423/2023</u></p> <p>A.A. Chavan ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. S.O. to 18th December, 2023 for seeking instructions.</p> <p style="text-align: center;"> SD/- SD/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 14.12.2023 14.12.2023 (skw)</p>

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET NO.

Office Memoranda of Coram,
Tribunal's orders or
Registrar's orders

Tribunal's orders

M.A.770/2023 in O.A.1545/2023

S.M. Patil & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.V. Waghmare, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.

2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

SKW
(Debashish Chakrabarty)
Member-A
14.12.2023

(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

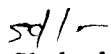
Office Notes, Office Memoranda of Coram,
Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

O.A.1545/2023

S.M. Patil & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.V. Waghmare, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.
2. Issue notice returnable on 18.12.2023.
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 O.A. 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. 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.
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.
8. S.O. to 18th December, 2023.


 (Debashish Chakrabarty) (Mridula Bhatkar, J.)
 Member-A Chairperson
 14.12.2023 14.12.2023

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

ation No. of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

O.A.1528/2023

A.P. Singh

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned PO for Respondents.

2. The learned Advocate for the Applicant submits that Applicant has retired in December, 2017 and at the time of retirement, he was residing at Javhar on rental basis. Thereafter, he shifted his residence as mentioned in the Title Clause at Tardeo, Mumbai. The Show Cause Notice was served on the Applicant on 30.09.2022.

3. The learned PO on instructions submits that on 30.09.2021, Charge-sheet was served on the Applicant at his address at Javhar. The learned PO seeks time to seek further instructions, as the concerned Officer Smt. Kanchan Pawar, Divisional Forest Officer is on leave today.

4. Smt. Kanchan Pawar, Divisional Forest Officer to remain present on 18th December, 2023.

5. Matter is fixed on 18.12.2023.

Sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

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

Tribunal's orders

O.A.1531/2023

S.S. More ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
2. Issue notice returnable on 18.01.2024.
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 O.A. 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. 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.
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.
8. S.O. to 18th January, 2024.

sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

tion No. of 20

FINAL CONTINUATION SHEET NO.

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

Tribunal's orders

O.A.1536/2023

R.P. Chavan & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.S. Dere, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned PO for Respondents.
2. The learned PO on Telephonic Instructions submits that no DPC is going to be conducted on tomorrow and further she has been informed that no date of DPC is fixed till today.
3. In the meanwhile, if Department is going to hold DPC, then the concerned Respondents may consider the name of Applicant for promotion to the post of Jailor, Grade-I, if he has cleared the Departmental Examination in stipulated 3 chances and within specific period as per Rules.
4. S.O. to 18.01.2024.

SD/-
(Debashish Chakrabarty)
Member-A
14.12.2023

SD/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

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FINAL CONTINUATION SHEET NO.

Office Memoranda of Coram, Tribunal's orders or and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.1415/2023</u></p> <p>S.P. Itape ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned PO for Respondents. 2. The Respondents to find out why the Orphan from EWS Category was not given appointment to the post of Constable. 3. Adjourned to 10th January, 2024. <p style="text-align: center;"> <i>Sd/-</i> (Debashish Chakrabarty) <i>Sd/-</i> Member-A (Mridula Bhatkar, J.) 14.12.2023 Chairperson 14.12.2023 </p> <p>(skw)</p>

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

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FARAD CONTINUATION SHEET NO.

Office Memoranda of Coram, Tribunal's orders or and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A.644/2023 in O.A.460/2023</u></p> <p>K.B. Ghodke & Ors. ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri A.V. Gaikwar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. S.O. to 3rd January, 2024.</p> <p style="text-align: center;"> <i>sd/-</i> (Debashish Chakrabarty) Member-A 14.12.2023 <i>sd/-</i> (Mridula Bhatkar, J.) Chairperson 14.12.2023 </p> <p>(skw)</p>

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

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FARAD CONTINUATION SHEET NO.

File Memoranda of Coram,
Tribunal's orders or
and Registrar's orders

Tribunal's orders

O.A.163/2023

Dr. S.A. Panchbhai

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri A.R. Kori, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.

2. The learned Advocate for the Applicant submits that the Promotion Order of the Applicant is issued. So that grievance is redressed.

3. The learned Advocate for the Applicant submits that the arrears yet to be paid to him.

4. In view of Order of Benefit of CAS dated 18.10.2023 which is given effect on 19.12.2016, we can dispose off this matter by giving directions to the Respondent-Government to decide the arrears due to the Applicant till 31st March, 2024.

5. No order as to costs.

SKW
(Debashish Chakrabarty)

Member-A
14.12.2023

(skw)

SKW
(Mridula Bhatkar, J.)

Chairperson
14.12.2023

**MHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

Application No. of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

O.A.808/2023

B.S. Zute

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.

2. We direct Respondent-State Government to pay salary to the Applicant, if not paid.

3. S.O. to 4th January, 2024.

SD/-
(Debashish Chakrabarty)
Member-A
14.12.2023

SD/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

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

Tribunal's orders

O.A.1495/2023

B.D. Shelar

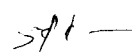
... Applicant

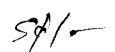
Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.
2. Issue notice returnable on 08.01.2024.
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 O.A. 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. 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.
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.
8. S.O. to 8th January, 2024 under the caption of 'Urgent Admission'.


(Debashish Chakrabarty)
Member-A
14.12.2023


(Mridula Bhatkar, J.)
Chairperson
14.12.2023

**MARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET NO.

Memoranda of Coram,
Tribunal's orders or
Registrar's orders

Tribunal's orders

M.A.767/2023 in O.A.1536/2023

R.P. Chavan & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.S. Dere, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned PO for Respondents.

2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

Sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

**MARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

of 20

ion No.

of 20

FARAD CONTINUATION SHEET NO.

Memoranda of Ceram,
Tribunal's orders or
and Register's orders

Tribunal's orders

O.A.820/2023

S.K. Doifode & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri S.S. Raktate, learned Advocate holding for Shri S.N. Katkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.

2. S.O. to 22nd December, 2023 as Part Heard.

sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

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.1546/2023</u></p> <p>A.T. Masal ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri S.B. Gaikwad, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents. 2. Issue notice returnable on 20.12.2023. 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 O.A. 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. 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. 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. 8. At this stage, we are unable to grant any interim relief. 9. S.O. to 20th December, 2023. <p style="text-align: center;"> <i>sd/-</i> <i>sd/-</i> (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 14.12.2023 14.12.2023 </p> <p>(skw)</p>

**MHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

No. of 20

ation No. of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

M.A.775/2023 in O.A.1560/2023

B.M. More & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.S. Raktade, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned PO for Respondents.

2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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M.A.769/2023 in O.A.1543/2023

S.A. Tamboli & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. A.B. Kololgi, learned PO for Respondents.
2. Issue notice to the Respondents made returnable on 25.01.2024.
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 O.A. 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.
6. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the M.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the M.A. shall stand dismissed.
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.
7. S.O. to 25th January, 2024 for reply to MA for delay condonation.

sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

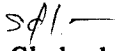
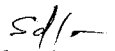
sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023


**MHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET NO.

File Memoranda of Coram, Tribunal's orders or and Registrar's orders	Tribunal's orders
	<p><u>O.A.1489/2023</u></p> <p>P.T. Jagtap ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. The learned PO submits that the file is pending with MPSC. The Enquiry Officer has completed the enquiry and submitted the report. The Disciplinary Authority has taken the decision and forwarded the file on 10.04.2023 to MPSC. The MPSC has raised the objections on 8th May, 2023. The objections were removed on 31.08.2023 and on 31.08.2023, the file was forwarded by Industries and Labour Department to MPSC. Reminder was sent to MPSC on 10.10.2023 and so also on 12.12.2023.</p> <p>3. Considering the scenario of pendency of file with MPSC, age of the Applicant i.e. 75 Years and this being the second round of litigation, we <i>suo motu</i> make MPSC as Party Respondent No.2.</p> <p>4. The MPSC - added Respondent No.2 is hereby directed to take decision on this matter without fail on or before 31st December, 2023.</p> <p>5. Matter is fixed on 3rd January, 2024.</p> <p style="text-align: center;">  (Debashish Chakrabarty) Member-A 14.12.2023 </p> <p style="text-align: center;">  (Mridula Bhatkar, J.) Chairperson 14.12.2023 </p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.1541/2023</u></p> <p>S.S. Morey ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri Sahil More, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. In Seniority List of Nurse Psychiatric dated 23.11.2023, the Applicant is shown at Sr.No.29. She had joined Service as Staff Nurse on 10.10.1997. The Applicant is at Serial No.37 in the Seniority List of 2014 of Nurse Psychiatric. The Nurse Psychiatric which are shown at Serial Nos. 2 and 3 in the Seniority List of 2014 had joined in 2006 while Applicant had joined Service in the year 1997 as Staff Nurse and then she was promoted as Nurse Psychiatric on 10.04.2014. Her name was at Serial No.29 in the Seniority List dated 01.01.2023 and therefore, she was not in the Zone of Consideration for promotion to the post of 'Assistant Matron'.</p> <p>3. The learned Advocate for the Applicant relies on the Permanency Certificate dated 20.02.2022 (Page No.83) issued by Civil Surgeon, General Hospital, Aurangabad where the name of Applicant appears along with other Nurses and her designation is shown as Nurse Psychiatric and it is mentioned that the appointment as Nurse Psychiatric is the date of joining as 10.10.1997.</p> <p>4. We cannot accept this Permanency Certificate dated 20.02.2022 of Civil Surgeon, as the settled position of law is that, when a person joins a particular cadre, the seniority in that cadre is to be counted from the Date of Appointment in that cadre. Therefore, at this stage, we refuse to grant 'Interim Relief' that the process of promotion to the post of 'Assistant Matron' be stayed.</p> <p>5. S.O. to 25th January, 2024.</p> <p style="text-align: center;">  (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 14.12.2023 14.12.2023 </p> <p>(skw)</p>

**MARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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ANNEXURE CONTINUATION SHEET NO.

ices Memoranda of Coram,
Tribunal's orders or
nd Registrar's orders

Tribunal's orders

O.A.1479/2023

B.P. Godage ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.

2. In view of the order dated 28.11.2023, the Respondents were supposed to give proper instructions to the office of CPO regarding format of EWS Certificate issued on 19.10.2022, but till today, learned CPO has not received instructions or verifying the format of the said EWS Certificate.

3. Hence, we direct the Respondents to keep one post of Deputy Director of Agriculture vacant till further orders.

4. S.O. to 25th January, 2024.

sd/-
(Debashish Chakrabarty)
Member-A
14.12.2023

sd/-
(Mridula Bhatkar, J.)
Chairperson
14.12.2023

(skw)

**MHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET NO.

Office Memoranda of Coram,
Tribunal's orders or
and Registrar's orders.

Tribunal's orders

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

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

Tribunal's orders

Date : 14.12.2023

O.A.No.1164/2023

N.R. RautApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Sakshi Inamdar holding for Mr. U.P. Warunjikar, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. At the request of learned C.P.O. adjourned to 11.01.2024 for filing reply.

SD/-

(Medha Gadgil)
Member (A)

SD/-

(Mridula Bhatkar, J.)
Chairperson

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p>O.A.No.1398/2023</p> <p>A. Karwande ...Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.R. Purandare, learned Counsel for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. S.S. Dere, learned Counsel for the Respondent no.1</p> <p>2. O.A. though adjourned to 22.12.2023 is taken up at the request of learned Advocate Mr. Purandare.</p> <p>3. At the request of learned Counsel Mr. Purandare adjourned to 11.01.2024.</p> <p>SD/- (Medha Gadgil) Member (A)</p> <p>SD/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p>O.A.No.1522/2023</p> <p>H.S. Narale & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned C.P.O. adjourned to 11.01.2024 for filing reply.</p> <p>SD/- (Medha Gadgil) Member (A)</p> <p>SD/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p>O.A.No.1269/2023 with O.A.No.1270/2023</p> <p>V.K. Mengal & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere holding for Mr. L.S. Deshmukh, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned C.P.O. adjourned to 04.01.2024 for filing reply.</p> <p>SD/- SD/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

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

Tribunal's orders

Date : 14.12.2023

O.A.No.1261/2023

V.H. Shipkule & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere holding for Mr. L.S. Deshmukh, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. At the request of learned C.P.O. adjourned to 04.01.2024 for filing reply.

SD/-

SD/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p>O.A.No.1414/2023 with O.A.No.1436/2023 with O.A.No.1437/2023</p> <p>A.S. Shirsat & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Counsel for the Applicants in O.A.No.1414/2023, Mr. N.V. Adkine, learned Counsel for the Applicants in O.A.No.1436/2023 with O.A.No.1437/2023 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit. Place for Final Hearing.</p> <p>3. Adjourned to 17.01.2024. HOB. Interim relief, if any, to be continued. To be placed before Division Bench-2.</p> <p>SD/- SD/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

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

Tribunal's orders

Date : 14.12.2023

O.A.No.422/2023

P.A. WaidandeApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. R.M. Kolge, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. has submitted that the issue involved in this matter is Disability Act whereas the para-wise remarks received from the Respondent-State had not consider the relevant provisions therefore para-wise remarks are sent back to the office of Respondent with directions to consider the entire issue in the light of the judgment of Hon'ble Supreme Court.

3. We direct Respondent, S.P. Kolhapur in between also consider the provisions of Disability Act and may take decision in the case of the applicant about his reinstatement.

4. Adjourned to 18.01.2024.

SD/-

SD/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 14.12.2023

**O.A.No.463/2023 with O.A.No.464/2023 with
O.A.No.465/2023**

G.D. Awad & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Mr. V.S. Kadam, learned Counsel for the Applicant is absent.
3. Learned C.P.O. has submitted that the order of the Tribunal is challenged before the Hon'ble High Court and the same is pending.
4. Adjourned to 18.01.2024.

SD/-

SD/-

**(Medha Gadgil)
Member (A)**

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

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="792 331 1040 363">Date : 14.12.2023</p> <p data-bbox="1013 392 1256 423">O.A.No.495/2023</p> <p data-bbox="792 455 1446 486">N.B. Ghade & Ors.Applicants</p> <p data-bbox="889 492 927 523">Vs.</p> <p data-bbox="792 521 1446 552">The State of Maharashtra & Ors.Respondents.</p> <p data-bbox="792 581 1479 758">1. Heard Ms. Tanvi Phatak holding for Mr. S.K. Hande, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p data-bbox="792 800 1479 884">2. Learned C.P.O. has submitted that during the course of the day reply will be filed.</p> <p data-bbox="792 926 1479 1010">3. It be taken on record. Copy be served upon the concern.</p> <p data-bbox="792 1052 1224 1084">4. Adjourned to 22.12.2023.</p> <p data-bbox="889 1131 959 1163">SD/-</p> <p data-bbox="1273 1131 1343 1163">SD/-</p> <p data-bbox="824 1208 1029 1276">(Medha Gadgil) Member (A)</p> <p data-bbox="1187 1208 1472 1276">(Mridula Bhatkar, J.) Chairperson</p> <p data-bbox="797 1284 829 1310">prk</p>

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

Tribunal's orders

Date : 14.12.2023

O.A.No.667/2023

K.S. MeherApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents.
2. Mr. S.D. Patil/ Mr. A.S. Pawar, learned Counsel for the Applicant is absent.
3. Reply is already.
4. Admit. Place for final hearing.
5. Adjourned to 22.02.2024.

SD/-

SD/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 14.12.2023

O.A.No.886/2023

S.M. GhugeApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

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

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

3. It be taken on record. Copy be served upon the concern.

4. Learned C.P.O. has submitted that Respondent No.2 may consider the case of the applicant regard his completion of probation period.

5. Adjourned to 18.01.2024.

SD/-

SD/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

**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: 14.12.2023</p> <p align="center">O.A. No.1251 of 2023</p> <p>M.A. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submit the copy of the Order issued by office of 'Commissioner of Police, Solapur City' dated 06.12.2023 by which Applicant has been relieved to join on the new post of 'Police Inspector in Motor Transport Section, Nagpada, Mumbai'.</p> <p>3. Learned Advocate for the Applicant further states that Applicant will accordingly join on the new post of 'Police Inspector in Motor Transport Section, Nagpada, Mumbai' on 18.10.2023. Further, he states that as now nothing survives in this O.A. No.1251/2023; it may be disposed off and his proposition is also accepted by learned P.O. Hence, O.A. No.1251/2023 be disposed off with 'No Order as to Costs'.</p> <p align="right">sd/- (Debashish Chakrabarty) Member (A)</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.

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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: 14.12.2023</p> <p align="center">O.A. No.596 of 2023</p> <p>A.S. GaikwadApplicant 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 holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The 'Revenue and Forest Department' was directed to review the 'Suspension Order' of Applicant dated 12.09.2023 and during last hearing on 30.11.2023 it was informed that it was under due consideration of 'Competent Authority'. The 'Revenue and Forest Department' therefore to expedite the decision about revocation of 'Suspension Order' of Applicant and communicate it to learned P.O. latest by 31.12.2023.</p> <p>3. S.O. to 04.01.2024.</p> <p align="right">sd/- (Debashish Chakrabarty) Member (A)</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
	<p>Date : 14.12.2023</p> <p>M.A.No.733/2023 in O.A.No.968/2023</p> <p>The State of Maharashtra & Ors.Appli (Org. Respd.) Vs. (S.V. Kadari) P.P. Pande & Ors.Respdents (Org. Appli).</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicant (Org. Respd) and Mr. S.S. Dere, learned Counsel for the Respondents (Org. Appli).</p> <p>2. M.A. is filed seeking extension of time for the period of four months so as to enable Respondents to file Writ Petition before the Hon'ble Bombay High Court for challenging order dated 03.11.2023 passed by this Tribunal in O.A.No.968 /2023.</p> <p>3. Today learned C.P.O. files additional affidavit-in-reply. It be taken on record. Copy be served upon the concern.</p> <p>4. Learned Counsel opposes for grant of four months as already one month is over after passing of the order.</p> <p>5. In view of above, we hereby grant time of four months from the date of the order of this Tribunal.</p> <p>6. M.A. stands disposed of.</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>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p>M.A.No.759/2023 in O.A.No.59/2017 with C.A.No.104/2023</p> <p>The State of Maharashtra & Ors.Appli (Org. Respd.) Vs. (S.V. Kadari) Y.A. DesaiRespdents (Org. Appli).</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicant (Org. Respd) and Mr. Bhushan A. Bandiwadekar, learned Counsel for the Respondents (Org. Appli).</p> <p>2. M.A. is filed seeking extension of time of six weeks for compliance of order passed by this Tribunal in O.A.No.59/2017.</p> <p>3. Learned Counsel Mr. Bandiwadekar vehemently opposes M.A. seeking extension of time in view of the fact that already chance was given to the State to file Writ Petition. He further pointed out that M.A. is not filed praying for condonation of delay.</p> <p>4. We would like to point out that the order dated 07.08.2023 passed by this Tribunal in O.A.No.59/2017 thereby directing the compliance of the order within six weeks from the date of the order. The said period of six weeks got over in the last week of September, 2023. Thereafter Respondent filed M.A.No.611/2023 seeking extension of time and the Tribunal granted the same by order dated 12.10.2023 wherein time was extended upto 06.11.2023. Learned C.P.O. has submitted that during this extended period it was not possible for the State to prepare the Writ Petition. Hence, now Respondents are seeking further extension of six weeks for compliance of the order.</p> <p>5. In view of above, we grant six weeks time from the date of the M.A. i.e. 14.12.2023. We grant time till 11.01.2024. Matter is peremptorily fixed on 11.01.2024. In absence of any order from the High Court, we shall proceed with C.A.</p> <p>6. M.A.No.759/2023 stands disposed of as allowed.</p> <p style="text-align: center;">SD/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">SD/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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: 14.12.2023</p> <p align="center">O.A. No.939 of 2023</p> <p>G.D. Karad,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Smt. Archana B.K., learned Advocate holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri A.V. Bandiwadekar, learned Advocate for the Respondent No.2.</p> <p>2. Learned P.O. has filed 'Two Short Affidavits' in compliance of 'Oral Directions' of Hon'ble Tribunal on behalf of Respondent No.1. Both the 'Affidavits' are taken on record.</p> <p>3. S.O. to 19.12.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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

Tribunal's orders

Date : 14.12.2023

R.A.No.3/2023 in O.A.No.280/2022

G.B. Jagtap & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Counsel for the Applicant in R.A.No.3/2023 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ms. S.T. Yaseen, learned Counsel for the Applicant in O.A.No.280/2022 and Mr. Waghmare, learned Counsel for Respondents No.3 to 8 are absent.

3. Learned Counsel Mr. Dere has submitted that the order of the Tribunal is challenged before the Hon'ble High Court and the same is reserved.

4. Adjourned to 16.01.2024.

SD/-

(Medha Gadgil)
Member (A)

prk

SD/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p>C.A.No.4/2020 in O.A.No.1119/2015</p> <p>Dr. B.M. LadApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Mr. Talekar, learned Counsel for the Applicant.</p> <p>2. At the request of learned P.O. adjourned to 09.01.2024 for compliance of earlier order.</p> <p>SD/- (Medha Gadgil) Member (A)</p> <p>SD/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

Tribunal's orders

Date : 14.12.2023

O.A.No.325/2018 with O.A.No.13/2020

A.M. Jadhao & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant in O.A.No.325/2018 and Mr. S.S. Dere, learned Counsel for the Applicant in O.A.No.13/2020, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent No.2 and Mr. C.T. Chandratre along with Mr. D.B. Khaire, learned Counsel for Respondent No.3.

2. Registry is directed to note that 'Mr. A.A. Desai, Spl. Counsel R 1' is not to be shown on the board.

3. Mr. Ashish Kumar Singh, Additional Chief Secretary, Higher & Technical Education Department is directed to remain present on 02.01.2024 at 10.30 a.m. No adjournment will be granted.

SD/-

(Medha Gadgil)
Member (A)

prk

SD/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

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

Tribunal's orders

Date : 14.12.2023

**M.A.No.336/2023 in R.A.No.7/2023 in
O.A.No.614/2018**

A.B KatkarApplicants

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Mr. D.V. Sutar, learned Counsel for the
Applicant is absent.

3. Adjourned to 18.01.2024.

SD/-

(Medha Gadgil)
Member (A)

prk

SD/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p>M.A.No.594/2023 in O.A.No.574/2023</p> <p>S.I. BhosaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A. is filed seeking hearing on the point of interim relief.</p> <p>3. At the request of learned Counsel Adjourned to 17.01.2024.</p> <p>SD/- SD/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders</p>

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

Tribunal's orders

Date : 14.12.2023

O.A.No.815/2017

S.M. PatilApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. R. Deokar along with M. Narvekar, M. Sharma and A Dalvi, learned Counsel for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Ms. Sonali Jadhav i/b. Mr. V.V. Berde, learned Counsel for the Respondent No.4.

2. Learned Counsel Mr. Deokar files application for the production of documents from Respondent No.4.

3. We direct learned Counsel Ms. Jadhav to produce the Original School Leaving certificate on the next date.

4. Adjourned to 18.12.2023. To be tagged along with O.A.No.513/2017 being similarly situated. Learned Counsel Mr. Berde is directed to remain present on the next date.

SD/-
(Medha Gadgil)
Member (A)

SD/-
(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 14.12.2023

M.A.No.257/2023 in O.A.No.212/2023

The State of Maharashtra & Ors.
....Appli (Org. Respd.)

Vs.

S.V. KadariRespdents (Org. Appli).

1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Applicant (Org. Respd) and Mr. K.R. Jagdale, learned Counsel for the Respondents (Org. Appli)

2. At the request of learned Counsel Mr. Jagdale adjourned to 04.01.2024.

SD/-

(Medha Gadgil)
Member (A)

prk

SD/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 14.12.2023</p> <p style="text-align: center;">O.A.No.609/2016</p> <p>P.R. AcharekarApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. U.V. Bhosle, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant has prayed for mandatory directions to the Respondents to consider his case for regular promotion to the cadre of Superintendent of Police/ Deputy Commissioner of Police (Technical), Motor Transport along with deemed date of promotion w.e.f. 02.04.2013 and consequential service benefits.</p> <p>3. At the outset, learned P.O. has submitted that in the order dated 25.09.2018 passed in O.A.No.609/2016 in paragraph 3 it is mentioned that during pendency of O.A. the Applicant, by order dated 23.06.2017, was promoted as Deputy Commissioner of Police, Motor Transport, Mumbai, Learned P.O. has submitted now the only issue is pendency of grant of deemed date of promotion and by order dated 26.02.2018 the concerned Respondents rejected the claim of the applicant regarding deemed date of promotion on the ground that no junior of the applicant was promoted earlier and the Applicant's case came into consideration in the year 2017.</p>

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

Tribunal's orders

4. We have considered the prayers. We have also considered the letter dated 26.02.2018 wherein the State rejected the applicant's claim for grant of deemed date of promotion. It is surprised that this particular letter was not pointed out to the Hon'ble Bombay High Court at the relevant time when the matter was taken up for hearing. It was the duty of both the parties to point out this letter as it gives birth to the new cause of action which was not prayed in the present O.A.

5. Learned Counsel Mr. Bhosle has argued that the copy of letter dated 26.02.2018 was attached to the Writ Petition when the matter was taken up by the Hon'ble Division Bench before the Hon'ble High Court.

6. We consider the statement made by learned Counsel that copy of letter dated 26.02.2018 was attached to the Writ Petition as true. However, when the matter is argued before the Hon'ble High Court it was the duty of the learned Counsel to point out that particular letter to raise the issue or to mention it at the time of arguments. After going through the order dated 20.09.2023 passed by the Hon'ble High Court in Writ Petition No.709/2019 wherein the O.A.No.609/2010 was restored to file and the Tribunal was directed to endeavor to disposed of O.A. as early as possible subject to earlier time bound commitments, it transpires that no arguments on this point were advanced as there is no mention of letter dated 26.02.2018

7. In view of above, nothing survives in the O.A. and the same stands disposed of as infructuous. However, we grant liberty to the Applicant to file fresh O.A. for the new cause of action, if any.

SD/-
(Medha Gadgil)
Member (A)

SD/-
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda or Coram. Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>M.A. No.466 of 2023 in O.A. No.134 of 2019,</u> <u>M.A. No.467 of 2023 in O.A. No.1076 of 2019,</u> <u>O.A. No.1077 of 2019 with</u> <u>M.A. No.468 of 2023 in O.A. No.1078 of 2019</u> <u>O.A. No.266 of 2019,</u> <u>M.A. No.484/2023 in O.A. No.461/2019</u></p> <p>V.L. Kardile T.R. Wagh & Ors. S.S. Nikam & Ors. P.K. Jadhav & Ors. B.F. Gaikwad W.Z. Pahilwan & 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. Ld. PO files replies in MA No.467/2023, 468 & 484 of 2023 and the same are taken on record.</p> <p>3. S.O. to 21.12.2023.</p> <p style="text-align: right;">Sd/- (Medha Gattgil) Member (A) 14.12.2023</p> <p>(sgj)</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 data-bbox="836 817 1437 853"><u>M.A. No.763 of 2023 in O.A. No.1523 of 2023</u></p> <p data-bbox="748 894 1477 930">K.K. Jadhav & Anr. ..Applicants</p> <p data-bbox="841 932 885 963">Vs.</p> <p data-bbox="748 965 1502 1001">The State of Maharashtra & Ors. ..Respondents</p> <p data-bbox="748 1039 1526 1179">Heard Shri Ganesh Masurkar holding for Shri C.T. Chandratre, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p data-bbox="748 1225 1526 1403">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 data-bbox="1307 1472 1372 1508">Sd/-</p> <p data-bbox="1218 1518 1421 1554">(Medha Gadgil)</p> <p data-bbox="1242 1556 1404 1592">Member (A)</p> <p data-bbox="1250 1595 1388 1630">14.12.2023</p> <p data-bbox="738 1625 803 1661">(sgj)</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.1523 of 2023</u></p> <p>K.K. Jadhav & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Ganesh Masurkar holding for Shri C.T. Chandratre, learned Advocate for the Applicants 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 on 23.1.2024. The respondents are directed to file reply.</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. 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. 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>7. 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: right;">Sd/- (Medha Gadgil) Member (A) 14.12.2023</p> <p>(sgj)</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.1542 of 2023</u></p> <p>S.A. Tamboli ..Applicant Vs. The State of Manarashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicants 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 on 22.1.2024. The respondents are directed to file reply.</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. 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. 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>7. 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: right;">Sd/- (Medha Gadgil) Member (A) 14.12.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.290 of 2023</u></p> <p>S.S. Deshmukh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 9.1.2024. Interim relief, if any, to continue.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 14.12.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.1312 of 2023</u></p> <p>Dr. R.S. Kelkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply dated 6.12.2023 of respondents no.1 & 2 and the same is taken on record.</p> <p>3. S.O. to 19.12.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 14.12.2023</p> <p>(sg)</p>

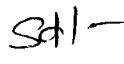

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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><u>OAs No.361, 362, 505, 506 of 2022,</u> <u>OAs No.108, 109, 468, 469 of 2022,</u> <u>OAs No.569, 570 of 2022</u></p> <p>L.K. Shinde & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits that he would like to place his written arguments along with affidavit, some documents and judgments on record instead of making further oral submissions. Ld. Advocate submits that it will be common written submissions in OAs No.468 & 469 of 2022 which will cover submissions in other connected OAs.</p> <p>3. As the Ld. Advocate for the applicants is comfortable with the written arguments, we grant him time as prayed and matter is fixed for submitting written arguments.</p> <p>4. S.O. to 21.12.2023.</p> <p style="text-align: center;"> (Medha Gadgil) Member (A) 14.12.2023 (sgj)</p> <p style="text-align: center;"> (Mridula Bhatkar, J.) Chairperson 14.12.2023</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

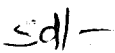
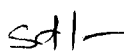
IN

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
	<u>O.A. No.452 of 2022 with O.A. No.1310 of 2023</u>
	<p>D.A. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p>
	<p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer and Smt. Archana B.K., learned Presenting Officer for the Respondents and Smt. Punam Mahajan, learned Advocate for Respondent no.5 in OA No.452/2022.</p>
	<p>2. Ld. CPO will be filing reply of MPSC in OA No.1310/2023 and seeks time to file reply of the State. Ld. Advocate for respondent no.5 seeks time to file reply.</p>
	<p>3. Ld. Advocate for the applicant submits that in OA No.1310/2023 DE is to be stayed or it should not be proceeded till next date. He submits that this order can be passed in view of order dated 28.8.2018 passed by this Tribunal in OA No.25.2018 (DB) Rupali A. Sondawale Vs. State of Maharashtra & Ors..</p>
	<p>4. Ld. PO submits that no DE is initiated in OA No.1310/2023 and only Preliminary Enquiry is going on.</p>
	<p>5. In view of the above, we do not want to pass any interim order.</p>
	<p>6. S.O. to 11.1.2024.</p>
	<p style="text-align: center;">sd/-</p> <p>(Medha Gadgil) Member (A) 14.12.2023</p>
	<p style="text-align: center;">sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson 14.12.2023</p>
	<p>(sgi)</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.135 of 2020</u></p> <p>Jyoti R. Choudhary ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.H. Shekdar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that applicant joined the services on 9.1.1996 however her services were not regularized. It was regularized on 18.9.1999. It is submitted that by letter dated 15.2.2019 the Govt. informed that her services is to be considered for regularization from 1996.</p> <p>3. The OA is drafted in a very clumsy manner. No separate prayer is mentioned. However, after going through the entire OA, Ld. PO submits that the applicant has prayed:</p> <p>(i) That application of the applicant for Voluntary Retirement is to be accepted and accordingly she should be given pension and pensionary benefits.</p> <p>(ii) That her leave period from 9.8.2013 to 26.11.2012 and 19.10.2018 to 15.10.2019 is to be regularized.</p> <p>(iii) That her unpaid salary is to be paid.</p> <p>4. Ld. PO submits that first leave period is regularized. However, second leave period is not yet decided as there was no separate application filed by the applicant in the department. Ld. PO submits that whatever salary was pending is already paid to the applicant. Ld. PO on instructions submits that applicant is entitled to get pensionary benefits as per rules and for that it is necessary for the applicant to open Pension Account in the Bank and furnish cancelled cheque to the department.</p> <p>5. In view of the above the applicant is directed to open Pension Account in the Bank and furnish cancelled cheque.</p> <p>6. At the request of the applicant the matter is adjourned to 16.1.2024. Applicant to follow the directions given otherwise we are going to dismiss the matter.</p> <p style="text-align: center;">  (Medha Gadgil) Member (A) 14.12.2023 </p> <p style="text-align: center;">  (Mridula Bhatkar, J.) Chairperson 14.12.2023 </p> <p>(sgi)</p>