

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">O.A.No.537, 546 and 547 of 2020</p> <p>S.S. Powar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Out of these three matters, O.A.No.546/2020 and 547/2020 are on today's board. Whereas, O.A.537/2020 is on tomorrow's board but it is taken on board by circulation on request of learned C.P.O. for passing common order.</p> <p>2. Shri A. V. Bandiwadekar, learned Counsel for the Applicants in O.A.No.546/2020 and O.A.No.547/2020 are present. However, Dr.Gunratan Sadavarte, learned Counsel for the Applicant in O.A.No.537/2020 is absent.</p> <p>3. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant in O.A.Nos.546/2020 and 547/2020 as well as Smt. Punam Mahajan, learned Counsel for the Respondent No.2 in O.A.No.547/2020. Private Respondent No.2 in O.A.No.546/2020 is served but absent.</p> <p>4. Heard Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondent submits that the Government wish to reconsider the posting of private respondents and for that purpose circulation is taken today.</p> <p>5. On hearing learned Counsel for the Applicants as well as learned P.O., it transpires that by impugned transfer orders, the private respondents were shown posted in place of the Applicants though the Applicants were not due for transfer. The Applicants have, therefore, filed this O.A.s in view of posting of private respondents in their place though no orders were passed for transferring the applicants.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. The Tribunal has granted interim relief in favour of the Applicants and they were continued on the same posts where they are working. Indeed, the Government is at liberty to pass appropriate orders in respect of private respondents thereby modifying their postings. However, since there was interim relief in favour of the Applicants, they are seeking necessary orders from the Tribunal.</p> <p>7. Learned P.O. Smt. Kranti Gaikwad on instructions made a fair statement that Government wants to continue the Applicants at the same place and all that wish to give some other posting to private respondents.</p> <p>8. In view of the statement made by learned P.O., no cause of action survives to continue Original Applications.</p> <p>9. The Government is at liberty to pass appropriate orders in respect of private respondents in accordance to law.</p> <p>10. In view of above, O.A.Nos.546/2020 and 547/2020 are disposed of with no order as to costs.</p> <p>11. In so far as O.A.No.537/2020 is concerned, it is on today's board and therefore be kept tomorrow for appropriate orders.</p> <p>12. S.O. to 16.02.2021.</p> <p style="text-align: right;">Sd/- ✓ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">M.A . No.70 of 2021 in O.A.No.740 of 2020</p> <p>S. G. AnnapureApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for restoration of O.A.No.740/2020 which has been dismissed in default for want of compliance of condition order mainly for issuance of notices to the Private Respondents and to file Affidavit. The returnable date was 03.02.2021.</p> <p>3. Learned Counsel for the Applicant submits that inadvertently notices were remained to be sent to the Respondent Nos.2 and 3, and therefore, requested to restore O.A.No. 740/2020.</p> <p>4. For the reasons stated above, order of dismissal of O.A. is recalled and O.A.740/2020 is restored to file.</p> <p>5. M.A.70/2021 is accordingly disposed of with no order as to costs.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p>O.A.No.668 of 2020</p> <p>Dr. D. P. ManeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri M. M. Kale holding for Shri S.R. Ghanavat, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.2. On request of learned Counsel for the Applicant, the matter is adjourned for hearing at the stage of admission.3. Interim relief to continue till next date.4. S.O. to 05.03.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Date : 15.02.2021

O.A.No.740 of 2020

S. G. AnnapureApplicant
Versus
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. This O.A. was earlier dismissed in default but today it is restored to file in view of order passed in m.A.No.70/2021. There is no service of notices to Respondent Nos.2 and 3, therefore, notice is required to issued them.
3. Issue notice before admission returnable on 08.03.2021 to Respondent Nos.2 and 3.
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. 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. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
9. S.O. to 08.03.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>R.A. No.12 of 2017 in O.A. No.808 of 2016</u></p> <p>Shri Jaysing M. Gurav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri J.M. Gurav, Applicant in person and Smt. Archana B.K., learned Presenting Officer for the Respondent.</p> <p>2. The applicant in above OA has filed the present RA No.12 of 2017. The judgment and order dated 16.3.2017 in the above OA has been delivered by Shri Rajiv Agarwal, Hon'ble Vice-Chairman (Administrative). The applicant in person has referred to certain GRs copy of which he has given today to the Ld. PO as well as Shri Bhagwan Pandurang More, Legal Adviser to the Deputy Director of Health Services, Kolhapur, who is present in the Court. Applicant in person has furnished additional Circulars from GAD dated 25.2.1965, 9.9.1969 and 2.4.1976. The applicant seeks permission to file additional affidavit regarding the relevance of these GRs. He is allowed to do so within four weeks.</p> <p>3. In the light of the above, additional legal points are involved which have not been considered earlier.</p> <p>4. In the light of the above, Registrar is directed to examine whether the matter needs to be placed before the Division Bench. The decision should be communicated to all the concerned at the earliest.</p> <p>5. S.O. to 16.3.2021.</p> <p style="text-align: right;">Sd/- (P.N. Dixit) Vice-Chairman 15.2.2021</p> <p>(sgj)</p>

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

Tribunal's orders

M.A. No.63 of 2021 in O.A. No.1133 of 2018

Smt. Bhagyashree A. Kale & 97 Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Speaking to minutes of the order dated 11.2.2021 passed in the above matter, as requested by the Ld. CPO.

3. First sentence in Para 2 of the order dated 11.2.2021 reads as under:

“2. Pursuant to order dated 9.2.2021, the learned C.P.O. submit that clause no.7, i.e. appointment to the post of Tutor in Nursing School, which is mentioned in notification dated 22.6.2015, which states that the appointment to the post by promotion and nomination shall be made in the ratio of 75:25 respectively; is adopted by the Respondent-State while putting up the fresh proposal before His Excellency Governor.”

4. The above sentence should be corrected as under:

“2. Pursuant to order dated 9.2.2021, the learned C.P.O. submit that clause no.7, i.e. appointment to the post of Tutor in Nursing School, which is mentioned in **draft** notification dated 22.6.2015, which states that the appointment to the post by promotion and nomination shall be made in the ratio of 75:25 respectively; is **not** adopted by the Respondent-State while putting up the fresh proposal before His Excellency Governor.”

5. Correction be carried out accordingly.

Sd/-

(P.N. Dixit)
Vice-Chairman
15.2.2021

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
15.2.2021

(sgj)

**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 : 15 .02.2021</p> <p style="text-align: center;">O.A.No.141 of 2020</p> <p>Dr. A. E. GawaliApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply as a last chance.</p> <p>3. S.O. to 22.02.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

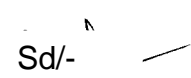

of 20

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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 : 12.02.2021</p> <p align="center">O.A.No.534 of 2020</p> <p>M. V. PatilApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Ms S. P.Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In the present O.A., the challenge is to the transfer order dated 01.10.2020 and during the course of argument, learned Counsel for the Applicant much emphasized on the point of discrimination. She has pointed out that so many officials named in Rejoinder have been accommodated by changing their division allotted to them under Divisional Cadre Allotment Rules but the Applicant is retransferred and thereby subjected to discrimination.</p> <p>3. Rejoinder was filed on 04.01.2021. Thereafter, the matter was taken up for hearing but no Sur-Rejoinder is filed by the Respondents to counter the plea of discrimination raised by the Applicant.</p> <p>4. Today, during the course of hearing, learned C.P.O. submits that she be allowed to file Sur-Rejoinder to explain the plea of discrimination taken by the Applicant and requested for grant of time.</p> <p>5. Indeed, Sur-Rejoinder, if any, ought to have been filed earlier but the same is not filed.</p> <p>6. However, considering the issue involved, it would be appropriate to give one more opportunity to Respondents to file Sur-Rejoinder.</p> <p>7. S.O. to 18.02.2021.</p> <p align="right">Sd/-   (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 15 .02.2021

O.A.No.135 of 2021

Smt. J. M. Kawade

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 1 .03.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 1: .03.2021.

Sd/-

▼

(A.P. Kurhekar)
Member(J)

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 : 15 .02.2021</p> <p style="text-align: center;">M.A. No.347 of 2020 in M.A.No.348 of 2020 in O.A.No.61 of 2020</p> <p>N.D. BhosaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. R. Kori holding for Shri R. G. Panchal, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply in both the Misc. Applications on behalf of the Respondent Nos.3 and 4. It is taken on record.</p> <p>3. S.O. to 01.03.2021.</p> <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s


(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	<p align="right">Tribunal's orders</p> <p>Date : 15 .02.2021</p>
	<p align="center">O.A.No.187 of 2020</p> <p>V. D. GujarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O., one week time is granted for filing reply as a last chance.</p> <p>3. S.O. to 23.02.2021.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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DISTRICT

..... Applicant/s

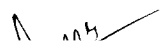
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">O.A.No.655 of 2020</p> <p>Dr. K. S. DeshpandeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that the decision on representation is taken and request is rejected and the same was communicated to the Applicant by letter dated 11.02.2021. The copy of letter is taken on record and marked by letter 'X'.</p> <p>3. On request of learned P.O., one week time is granted for filing reply, if any.</p> <p>4. S.O. to 23.02.2021.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">O.A.No.01 of 2021</p> <p>P. G. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 03.03.2021.</p> <p align="right">Sd/- ✓ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No.

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DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">M. A. No.574 of 2019 in O.A.No.1032 of 2019</p> <p>R. S. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. B. Rohile, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent No1 and Shri Atish Kaningdhawaj, learned Counsel for the Respondent No.2. Respondent No.3 is served but absent.</p> <p>2. On request of learned P.O., one week time is lastly granted for filing reply.</p> <p>3. S.O. to 01.03.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate

VERSUS

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 15 .02.2021

O.A.No.484 of 2020

R. S. Nagare

...Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. Learned P.O. submits that the reply is already filed in the office.
3. However, perusal of record reveals that the reply filed by the Respondents is not on record.
4. The office is directed to trace the same and be taken on record since the copy of reply is already served upon the learned Counsel for the Applicant.
5. On request of learned Counsel or the Applicant, the matter is adjourned for filing Rejoinder.
6. Interim relief to continue till next date.
7. S.O. to 03.03.2021.

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Sd/-

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

vsm


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	<p align="center">Date: 15.02.2021</p> <p align="center">O.A. No. 534 of 2020</p> <p>M.V. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. S.P. Manchekar, the learned Chief Presenting Officer for the Respondents. 2. The learned Advocate for the Applicant has pointed out that while passing the order on 12.02.2021, the order to continue the interim relief was remained to be passed and requested to continue the interim relief. 3. The perusal of record reveals that there is already interim relief in favour of the Applicant which is extended from time to time. 4. In view of above, the interim relief to continue till further order. 5. As per order dated 12.02.2021 matter is adjourned to 18.02.2021 on which the bench is not available. 6. In view of above, the matter to be kept on 22.02.2021 instead of 18.02.2021. 7. S.O. to 22.02.2021. <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 15 .02.2021</p> <p align="center">O.A.No. 512, 513, 514, 515, 516, 517 of 2020 with O.A.533 of 2020 with O.A. No.535 of 2020</p> <p>D. M. Ghodake & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matters are fixed for filing Rejoinder but the same is not filed.</p> <p>3. The matters are adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 01.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p style="text-align: center;">O.A.No.481 of 2019</p> <p>Dr. S. J. KanujeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. B. Gaikwad, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant has not filed Rejoinder.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 12.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p style="text-align: center;">O.A.No.554 of 2020</p> <p>S. S. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. No rejoinder is filed by the learned Counsel for the Applicant.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 05.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">O.A.No.05 of 2021</p> <p>A. D. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission with liberty to file Rejoinder, if any.</p> <p>4. S.O. to 01.03.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">O.A.No.1166 of 2019</p> <p>Dr. A. R. PatilApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryawanshi, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., one week time is granted for filing reply in terms of order by this Tribunal on 05.02.2021.</p> <p>3. S.O. to 24.02.2021.</p> <p align="right">Sd/- w (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 12.02.2021

O.A.Nos.689, 690, 691, 692 & 693 of 2020

A.M. Kharade & Ors.

...Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicants and Smt. Archana B. K. holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. In all these Original Applications, learned Counsel for the Applicants has filed Affidavit-in-Rejoinder. It is taken on record.

3. On request of learned P.O. the matter is adjourned for hearing at the stage of admission.

4. S.O. to 01.03.2021.

Sd/-

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

vsm

**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	Date : 15 .02.2021 Tribunal's orders
	<p align="center">O.A.No.103 of 2020</p> <p>N. G. DeshmukhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed additional affidavit on behalf of the petitioner. It is taken on record.</p> <p>3. Learned P.O. needs time to counter the additional affidavit and requested for adjournment.</p> <p>4. The matter is adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 25.02.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>ysm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15 .02.2021</p> <p align="center">O.A.No.109 of 2021</p> <p>N. M. Patekar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that he wants time to take instructions from the concerned in view of the decision rendered by this Tribunal in earlier Original Application.</p> <p>3. S.O. to 22.02.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date : 15 .02.2021

O.A.Nos.544 and 548 of 2020

D. J. Parge & Anr.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicants, Ms N.G. Gohad, learned Presenting Officer for the Respondent No.1 and Smt. Punam Mahajan, learned Counsel for the Respondent No.2 in both O.As

2. In these two Original Applications, the Applicants have challenged the transfer orders whereby private respondent no.2 are posted in their place which has effect of their transfer from the present post though no order of their transfer and posting is passed.

3. The Tribunal has granted interim relief having prima-facie satisfied that the Applicants cannot be transferred in such manner.

4. Today, learned P.O. Smt. Kranti Gaikwad on instructions submits that the Respondent No.1 wish to modify the transfer order whereby private respondents are transferred in place of the Applicants and further made a statement that the Applicants will be continued on the present posting and they will not be disturbed.

5. Indeed, the Respondent No.1 is at liberty to pass appropriate orders to modify the impugned orders in respect of posting of the private Respondents in accordance to law.

6. In view of above, particularly in view of statement made by learned P.O., no cause of action survives to continue the Original Applications and matters can be disposed of.

7. For the aforesaid reasons, Original Applications are disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION No.136 of 2021

S. B. Patil

)..... **Applicant**

Versus

State of Maharashtra & Ors.

)...**Respondents**

Smt. Punam Mahajan, Counsel for the Applicant

Smt. Kranti Gaikwad, Presenting Officer for the Respondents

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 15.02.2021

ORDER

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad , learned Presenting Officer for the Respondents.
2. The Applicant has challenged the transfer order dated 12.02.2021 whereby he was transferred mid-term and mid-tenure from the post of Deputy Superintendent of Police, Anti Corruption Bureau, Pune to the post of Police Inspector, Pimpri -Chinchwad.
3. Learned Counsel for the Applicant has submitted that the Applicant has joined Anti Corruption Bureau by order dated 12.02.2019 and he is entitled to normal tenure of three years in terms of Section 22N(1)(e) of Maharashtra Police Act but he is transferred mid-term and mid-tenure, and therefore, seeks interim relief. She also raised the issue of competency of the Government for passing impugned transfer order since according to her the Police Establishment Board at specialized agencies is the only competent authority for such transfer, if warranted under Section 22N(2) of Maharashtra Police Act.

Handwritten signature

4. Learned P.O. opposed the interim relief and has tendered the file for perusal of the Tribunal. She submits that the Applicant was serving in the cadre of Police Inspector but while transferring him in Anti Corruption Bureau One Step Ahead Promotion was given in the cadre of Deputy Superintendent of Police, and therefore, by impugned order, is reverted back to his original cadre of Police Inspector and posted at Pimpri- Chinchwad. On this line of submission, she tried to contend that it is repatriation and not transfer order.

5. True, the Applicant was initially serving in the cadre of Police Inspector but once he is transferred and posted in Anti Corruption Bureau, he is obviously entitled for three years tenure, and therefore, the submission advanced that impugned order is simple repatriation order and not transfer order is misconceived.

6. Perusal of Minutes of PEB reveals that along with four other police personnel, the Applicant was transferred under the caption of administrative exigency and public interest without specifying what was the administrative exigency or public interest. Mere mention of administrative exigency is hardly enough. There has to be some reason though not elaborate to satisfy the rigor of Section 22N(2) of Maharashtra Police Act. Suffice to say, no reason even for namesake is forthcoming in the Minutes of PEB.

7. True, the impugned transfer orders seem to have been approved by the Minister in-charge but that itself hardly legalize the transfer order in absence of compliance of Section 22N(2) of Maharashtra Police Act in letter and spirit. I am, therefore, satisfied that prima-facie, impugned transfer order is not in consonance with the provisions of Maharashtra Police Act and deserves to be stayed.

8. Interim relief in terms of Para No.10(a) is granted.

9. Issue notice before admission returnable on 15.03.2021.
10. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
11. 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.
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.
13. 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.
14. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
15. S.O. to 15.03.2021.



(A.P. KURHEKAR)
MEMBER (J)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.As. No.469/2012, 682/2013 & 879/2015

Dr. A.R. Tarale & Ors. (OA.469/12)
Dr. M.B. Deollikar & Ors. (OA.682/13)
Dr. G.P. Wadekar & Ors. (OA.879/15) ..Applicants

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants in OA No.469/2012, Shri Rahul B. Khot, learned Advocate holding for Shri N.Y. Chavan, learned Advocate for Applicants in OA No.879/2015 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Registrar to note that in OA No.682/2013 wrongly appearance of Shri N.Y. Chavan, Ld. Advocate is shown. It is to be corrected as Ld. Advocate Shri J.S. Deshmukh is appearing in this matter.

3. Shri B.A. Bandiwadekar, Ld. Advocate submits that these are High Court remand matters.

4. S.O. to 1.3.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman
15.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
15.2.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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



(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>R.A. St. No.148 of 2021 in O.A. No.21 of 2021</u> <u>(Aurangabad)</u></p> <p>Laxman B. Choudhari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Shri S.D. Joshi, Ld. Advocate for the applicant has sent email dated 13.2.2021 informing that applicant has been promoted by order dated 10.2.2021 and he does not want to proceed with the RA.</p> <p>3. Email is taken on record along with order dated 10.2.2021.</p> <p>4. Hence, the RA is disposed off accordingly.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 15.2.2021 15.2.2021</p> <p>(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

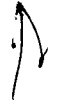
(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>O.A. No.306 of 2015</u></p> <p>R.D. Kamble ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri H.P. Ghadigaonkar, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant relies on paras 9 to 11 of the order dated 7.4.2017 passed by this Tribunal in the above OA.</p> <p>3. Ld. PO to find out today's position based on the background of the order of this Tribunal.</p> <p>4. S.O. to 25.2.2021.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(P.N. Dixit) Vice-Chairman 15.2.2021</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula R. Bhatkar, J.) Chairperson 15.2.2021</p> </div> </div> <p>(sgi)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 15.02.2021

O.A.No.774 of 2013 with O.A.No.621 of 2015

S.B. Korari ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri V.B. Joshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Counsel is request^d to furnish the details of the alleged disparity which has taken place earlier in selecting Police Personnel from wireless, motor transport, bandsman and bigurlar for the post of Police Sub Inspector in the main stream.

3. Adjourned to 17.02.2021 at 2.15 p.m.

Sd/-

**(P.N. Dixit)
Vice-Chairman**

Sd/-

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

prk

**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
	<u>O.A. No.983 of 2017</u>
	<p>K.J. Shinde & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO is directed to find out whether respondents no.1 and 3 wants to file reply and if they want to file it, they same should be filed within three weeks otherwise it will be assumed that they does not wish to file reply and the matter will be proceeded without their reply.</p> <p>3. S.O. to 22.3.2021 for final hearing.</p> <p align="center">Sd/- (P.N[!] Dixit) Vice-Chairman 15.2.2021</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 15.2.2021</p> <p>(sgi)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


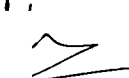
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Original Application No.

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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 align="center">Date: 15.02.2021</p> <p align="center">O. A. No.03 of 2021</p> <p>A.P. MutheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. is directed to file Affidavit-in-Reply in three weeks.</p> <p>3. S.O. to 08.03.2021.</p> <p align="right">  Sd/-  (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

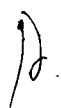

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Original Application No.

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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 align="center">Date: 15.02.2021</p> <p align="center">O. A. No.13 of 2021</p> <p>C.N. DesaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadkar, learned Advocate for the Applicant and Shri K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, the learned P.O. has filed Affidavit-in-Reply dated 02.02.2021 through Shri Indrabhan M. Kakad, Joint Director in the office of Vocational Education and Training, Regional Office, Nahsik. It is taken on record.</p> <p>3. S.O. to. 08.03.2021.</p> <p align="right">  Sd/-  (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


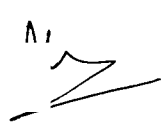
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Original Application No.

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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 align="center">Date: 15.02.2021</p> <p align="center">O. A. No.15 of 2021</p> <p>K.M. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. seeks time as she has not received any communication from the office of the Respondent.</p> <p>3. Four weeks time as prayed is granted.</p> <p>4. S.O. to 22.03.2021.</p> <p align="right">  Sd/-  (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

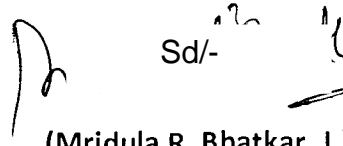
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Original Application No.

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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 align="center">Date: 15.02.2021</p> <p align="center">O. A. No.31 of 2021</p> <p>P.B. BorateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The learned C.P.O. submits that she will file Affidavit-in-Reply, during the course of the day. 3. The learned Advocate for the Applicant seeks four weeks time to file Rejoinder, if any. 4. Admit. 5. S.O. to 15.03.2021. <p align="right">  Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>

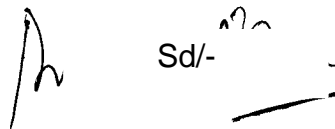
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 15.02.2021</p> <p align="center">O. A. No.71 of 2021</p> <p>P.B. RajputApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The learned P.O. today files a short statement on Affidavit with liberty to file detail Affidavit-in-Reply. 3. The learned P.O. submits that she has filed this Affidavit-in-Reply dated 15.02.2021 through Shri Sachin D. Sahasrabuddhe, Under Secretary in the office of the Respondents. The learned P.O. submits that General Administrative Department (G.A.D.) has given approval for the selection of 32 Officers from the feeder cadre Chief Officer, Group-B to Chief Officer, Group-A. The promotion orders of those 32 officers are issued. Yet the proposal of the next promotion is not submitted and hence there is no approval from G.A.D. Thus, next promotion will not take place before April 2021. 4. In view of this, only four weeks are given to Respondent to file Affidavit-in-Reply. 5. S.O. to 15.03.2021. <p align="right">  Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.02.2021</p> <p align="center">O.A. No.645 of 2020 with M.A. No.35 of 2020</p> <p>D.D. MaliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri L.S. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O seeks time to file Reply. 3. Four weeks time as prayed is granted. 4. Interim Relief to be continued till next date. 5. S.O. to 15.03.2021. <p align="right">  Sd/- _____ (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.02.2021</p> <p align="center">O. A. No.272 of 2020</p> <p>K.S. DeshpandeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The learned P.O. seeks time to consider the amendment and file further Reply, if any. 3. Two weeks time as prayed is granted. 4. S.O. to 01.03.2021. <p align="right">  Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 15.02.2021

O.A.No.108 of 2021

D.S. Gavit ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The learned P.O. produces a letter dated 12.02.2021 written by Ms. Dipali Patil, Deputy Superintendent Nashik, Anti Corruption, wherein with reference of letter dated 09.02.2021 informs that the Anti Corruption Bureau has filed a final report in respect of the Applicant, Shri Dilip S. Gavit and the scrutiny of the said report is still going on.

3. On perusal of this letter nothing is understood as this Tribunal wants to know :-

- (a) The date of the incident about which the Anti Corruption Bureau has conducted the enquiry.
- (b) When the scrutiny is going to over as the applicant is already retired on 28.02.2019.

4. At the request of learned P.O. Adjourned to 17.02.2021.

Sd/-


**(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 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 15.02.2021

O.A.No.32 of 2021

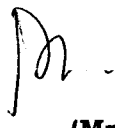

S.B. Sal ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Applicant in person and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The Applicant who has worked as Law Officer in the office of Respondent No.3, prays that he should be paid the difference amount of Parishramik i.e. of Rs.17,006/- per month for the period from 06.02.2017 to 05.02.2020 and claims the annual interest of 12%.

3. The learned P.O. seeks time to file affidavit-in-reply.

4. Time granted. Adjourned to 22.03.2021.

 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
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Date : 15.02.2021

O.A.No.450 of 2020

K.A. Kadavele ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms. Asawari Ghate, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The applicant, Police Constable was appointed on 29.08.2013 and was posted at Indapur. Thereafter on 13.11.2014 he was posted to Motor Transport Division, Rural Pune and was assigned the job of Driver. The Applicant submitted the representation requesting for posting outside Motor Transport Division as he has already been working in the said Division for the period of 5 years and 6 months then.

3. The learned Counsel submits that he made representation after 5 years and 6 months to the authority. The learned Counsel submits that his representation was rejected and the letter of rejection dated 07.09.2020 was sent by the respondents to the applicant stating that as nearly 102 posts of drivers are vacant in Motor Transport Division. The copy of the said letter is taken on record and marked as 'X'.



4. The learned Counsel further submits that this Tribunal by order dated 25.01.2021 has decided the same issue in O.A.449/2020, Shri Nikhil B. Gaikwad Versus The State of Maharashtra & 3 Ors.

5. The learned P.O. for the Respondents concedes to the same.

6. In view of the above, following order is passed :-

ORDER

- The Original Application is allowed.
- Applicant should be transferred to the regular police force at some Police Station within three weeks.
- No order as to costs.

 Sd/- 
(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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15.02.2021

O.A 447/2020

D.A Khade ... Applicant

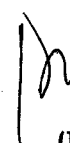
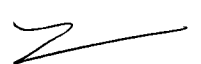
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.R Joshi , learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned P.O seeks two weeks' time to obtain information in respect of the decision taken by learned Magistrate in B-summary.

3. S.O 1.3.2021.

 Sd/- 

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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15.02.2021

O.A 113/2021


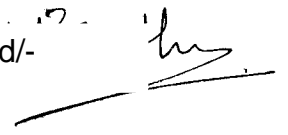
V.R Raskar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.

2. The applicant, retired A.P.I, challenges the orders dated 7.9.2019 issued by Respondent no. 4. He further challenges order of recovery dated 14.6.2017 of amount of Rs. 3,72,167/- issued by the Respondent and further prays that his pay to be revised from 29.1.2002 in accordance with the provisions of Rules 11, 36 and 39 of Maharashtra Civil Services (Pay) Rules, 1981 along with consequential monetary benefits.

3. Learned P.O seeks time to file reply. Time granted.

4. S.O 22.3.2021.

 Sd/- 

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

Akn

**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
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15.02.2021

O.A 111/2021

Shri V.V Sarwankar ... Applicant

Vs.



The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Neelima Gohad , learned P.O for the Respondents.

2. The applicant who retired as A.P.I, prays for declaration that the order dated 7.9.2019 issued by the Respondent no. 4 is illegal and bad in law and the applicant also further prays for the fixation of the pay in the grade pay of Rs. 4300/- in the post of P.S.I for the period 25.4.2006 to 31.1.2017 along with consequential monetary benefits.

3. Learned P.O for the Respondents seeks time to file reply. Time granted.

4. S.O to 30.3.2021.


 Sd/- 

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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15.02.2021

O.A 104/2021

A.G Arekar ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Neelima Gohad learned P.O for the Respondents.



2. Learned advocate for the applicant files service of notice on the Respondents. The same is taken on record and marked as Exh. 1.

3. The applicant, who retired as Accounts Clerk seeks declaration that he is entitled to receive benefit of first revised Time Bound Promotion in the post of Head Clerk w.e.f 7.11.2001 in the pay scale of Rs. 5000-175-8000 along with consequential monetary benefits.

4. At the outset a query is made to learned counsel on the point of limitation. Learned counsel submits that he can satisfy the court on this point. He submits that the claim is based on the judgment of this bench dated 9.3.2020 in O.A Nos 1158/2016, 352 & 353/2017.

5. Learned P.O seeks time to file affidavit in reply. Time granted.

6. S.O to 30.3.2021.

 Sd/- 

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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15.02.2021

O.A 101/2021



A.Y Sakpal ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.

2. The applicant retired A.P.I, challenges the order ad ted 23.8.2019 of fixing his pay scale to lower scale than what he has prayed as per Rule 11 (i)(a) of Maharashtra Civil Services (Pay) Rules, 1981 read with Rule 36 & 39 thereof, w.e.f 28.2.2002 and also prays for the consequential monetary benefits.

3. Learned P.O prays for time to file reply. Time granted.

4. S.O to 15.3.2021.

 Sd/- 

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

Akn

**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
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15.02.2021

O.A 100/2021

Shri Y.K Potekar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.

2. The applicant retired, A.P.I, prays for re-fixation of the pay in the post of Police Sub Inspector, in accordance with the provisions of Maharashtra Civil Services (Pay) Rules, 1981 along with consequential monetary benefits. The applicant also challenges the order of recovery dated 10.5.2019 of Rs. 5,95, 681/-, issued from the office of Respondent no. 4, Addl. C.P

3. Learned counsel submits that the applicant has made representation dated 5.3.2019 challenging the recovery giving elaborate reasons as to why he is not liable to pay back the said amount to the Government. Learned counsel further submits that in a similar case of one Mr. Tanaji H. Dhekale, this Tribunal by order dated 9.3.2020 in O.A 402/2017, has taken a favourable view in applicant's case.

4. Learned P.O seeks time to file affidavit in reply. Time granted.

5. In the meanwhile the Respondents are directed to decide the representation dated 5.3.2019 made by the applicant by taking into account the judgment of the Tribunal in O.A 402/2017, Mr Tanaji H. Dhekale (supra).

6. S.O to 8.3.2021.

Sd/-

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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15.02.2021

O.A 735/2020

Shri M.H Gaikwad ... Applicant


Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri U.V Bhosle, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned counsel Mr Bhosle informs that the application was made for giving directions regarding pay and allowances which were due from 1.10.2013 to 28.2.2014. Learned counsel submits on instructions that applicant has received pay and allowances for the said period.

3. In view of the above, O.A stands disposed of.

Sd/- 

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

Akn

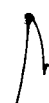

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 15.02.2021</p> <p align="center">O. A. No.741 of 2020</p> <p>S.V. Patil Etc 2Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of the learned Advocate for the Applicant one week time is granted for filing Affidavit-in-Rejoinder.</p> <p>3. S.O. to 22.02.2021.</p> <p align="right">  Sd/-  </p> <p align="right">(Mridula R. Bhatkar, J.) Chairperson</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

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: 15.02.2021</p> <p align="center">M.A. No.35 of 2020 in O.A. No.645 of 2020</p> <p>P.A. Hogale & Anr. Intervenors & D.D. MaliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.M. Misal, learned Advocate for the Intervenors, Shri L.S. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Intervenors have moved this application for intervention, in this O.A.. The Applicant had applied for the post of Police Patil and was earlier appointed as Police Patil in the year 2018. However, by order dated 21.10.2020 his appointment as Police Patil was cancelled by Respondent No.2, Sub Divisional Officer (S.D.O.), Maval-Mulshi, Pune on the ground that he has submitted false Affidavit that he has no political connection when he applied for the said post. As per the rules the person who is applying for the post of Police Patil should not have any connection in any manner with a political party and he should be a political person.</p> <p>3. The learned Advocate for the Intervenors submits that the intervenors are vigilant citizens and they had knowledge that the Applicant is very much connected with a political party and has made false Affidavit before the Executive Magistrate. The Intervenors moved application before the Judicial Magistrate, First Class, Court No.3, Pune by filing criminal complaint bearing No.RCC No.2391/2018 for cheating and forgery and in the said case the learned Judicial Magistrate, First Class, Court No.3, Pune issued process order on 06.01.2021 for the offences</p>

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

Tribunal's orders

punishable under section 420,463,465,466,468,470, 471,472 and 473 of the Indian Penal Code. Thereafter by order dated 21.10.2020 S.D.O. after considering false statement made by the Applicant and the order issuance of process in the criminal case, he cancelled the appointment of the Applicant. The learned Advocate for the intervener submits that his Interveners have interest in the matter therefore they are to be allowed to intervene.

4. Learned Advocate for the Applicant opposed this Application on the ground that they have no locus.

5. Learned P.O. submits to the order of the Court.

6. The Applicant challenges the cancellation of his appointment as Police Patil which was passed pursuant to the order passed by the Judicial Magistrate, First Class, Court No.3, Pune. Thus, the interveners have initiated criminal proceeding against the Applicant and have revealed certain important facts before the learned Judicial Magistrate, First Class, Court No.3, Pune.

7. The Interveners may be the proper parties in the criminal complaint & cheating as the issue relates to their village. However, in this Application before the Tribunal they are not necessary and proper parties. The Applicant prays for the cancellation of the order of the Judicial Magistrate, First Class, Court No.3, Pune, thus it is between the Applicant and the Respondent S.D.O who issued the order against the Applicant.

8. The Interveners as stated earlier may be the cause for the cancellation yet they have no locus. The Interveners being vigilant citizens are interested in this public cause and they may furnish information or assistance whatever required to S.D.O. in this matter. However, they cannot be allowed to intervene in the proceeding and audience can be given to them.

9. Hence Application of intervener is dismissed.

Sd/-

(Mridula R. 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 style="text-align: center;"><u>O.A. No.832 of 2016 (Aurangabad)</u></p> <p>Vishal P. Gangawane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Abhijeet A. Joshi, learned Advocate with Shri S.S. Jadhav, learned Advocates for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This OA is transferred from Aurangabad Bench.</p> <p>3. Ld. Advocate for the applicant submits that pleadings in this OA are complete and the matter is in fact to be heard finally. However, the applicant wants to bring on record certain very relevant document i.e. a letter issued by respondent no.3 to respondent no.1.</p> <p>4. After going through the order dated 18.1.2021 passed by this Tribunal in MA No.349 of 2020 in the above OA, which is an application under Section 25 of the Administrative Tribunals Act, 1985 for transfer, it is noticed that this MA for transfer of proceedings from Aurangabad Bench to Mumbai was erroneously allowed without any reasons. I find it necessary to recall the order of transfer on the following grounds:</p> <p>(a) Earlier I have refused the transfer in many applications where the transfer is sought for final hearing. If one application is allowed for final hearing without any just and good reason then it will cause injustice to other litigants who are waiting in queue at Aurangabad Bench. Though the Aurangabad Bench has become nonfunctional due to</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

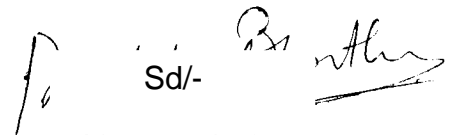
retirement of all the Members and there is no appointment of the Members further.

(b) If the applications for transfer for final hearing are allowed without any just and good reason, then there will be flow of all the application for final hearing from Aurangabad to Mumbai which is not possible for the Mumbai Bench to cope up.

5. It is further necessary to mention that two posts of Member (Judicial) and Member (Administrative) are expected to be filled up any time in near future, as the file is pending with DoPT in Delhi and the names are recommended by the Selection Committee on 10.6.2020.

6. In view of this, I am of the opinion that the earlier order dated 18.1.2021 in MA No.349 of 2020 in the above OA, which is passed without any reason, is passed inadvertently and therefore it is recalled. However, if the Ld. Advocate for the applicant wants to file any documents, he is permitted to do so.

7. The record and proceedings in the above OA be sent back to Aurangabad Bench.


Sd/-

(Mridula R. Bhatkar, J.)

Chairperson

15.2.2021

(sgj)