

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="765 555 994 588">Date: 15.03.2021</p> <p data-bbox="994 631 1266 665">O.A. No.137 of 2021</p> <p data-bbox="765 708 1499 825">Smt. V.Y. JamdadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol data-bbox="765 901 1499 2142" style="list-style-type: none"><li data-bbox="765 901 1499 1029">1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.<li data-bbox="765 1080 1499 1207">2. Today, learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant along with Annexure. It is taken on record.<li data-bbox="765 1258 1499 1615">3. Shri M.D. Lonkar has pointed out that by notice dated 08.02.2021 the Applicant was directed to vacate the service quarter by the end of this month. He has further pointed out that some other quarters are vacant. According to him three quarters of Mahim (Pg. 63 of P.B.) are rejected by Police Personnel and this can be offered or given to the Applicant time being till allotment by G.A.D.<li data-bbox="765 1666 1499 1844">4. Learned P.O. is directed to take instructions from the Respondents in this behalf and to appraise the Tribunal since dead line to vacate the service quarter is ending on 31.03.2021.<li data-bbox="765 1895 1499 1972">5. On request of learned P.O. adjourned for hearing at the stage of admission.<li data-bbox="765 2023 1094 2056">6. Hamdast granted.<li data-bbox="765 2107 1110 2140">7. S.O. to 22.03.2021. <p data-bbox="1213 2186 1279 2219" style="text-align: right;">Sd/-</p> <p data-bbox="1150 2270 1357 2346" style="text-align: right;">(A.P. Kurhekâr) Member (J)</p> <p data-bbox="765 2390 812 2423">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 : 12.03.2021

O.A.No.103 of 2020

N. G. DeshmukhApplicant

Versus

The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. On request of learned C.P.O., two days time is granted for filing Sur-Rejoinder to the Affidavit filed by the Applicant which is at page no.52 to 56 of PB.
3. The matter is adjourned for hearing on 18.03.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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: 15.03.2021</p> <p style="text-align: center;">O.A. No.687 of 2020</p> <p>Dr. V.Ā. Patil,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Shri A.V. Bandiwadekar submits that the tenure for the post of Police Patil will be expiring at the end of this month and therefore matter needs to be decided immediately.</p> <p>3. Learned P.O. however requested for grant of time to file Reply considering the urgency, one week time is granted as most last chance.</p> <p>4. S.O. to 22.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-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 align="center">Date: 15.03.2021</p> <p align="center">O.A. No.644 of 2020</p> <p>Dr. D.R. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate Shri D.V. Sutar, both are absent.</p> <p>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</p> <p>2. Learned P.O. has filed Affidavit-in-Reply on behalf of the Respondents No.4 & 5. It is taken on record.</p> <p>3. Adjourned to 31.03.2021 for Rejoinder.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 15.03.2021</p> <p>O.A. No.71 of 2021</p> <p>P.B. RajputApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Additional Affidavit-in-Reply on behalf of the Respondent. It is taken on record.</p> <p>3. Adjourned to 07.04.2021 for Rejoinder.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 15.03.2021

O.A. No.427 of 2019

M.P. Mohite & Ors.Applicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.
3. Adjourned to 30.03.2021 for Final Hearing.

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

NMN

**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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15.03.2021

C.A 6/2021 in O.A 39/2021

Dr S.B Sayamber ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Dr S.B Sayamber, applicant in person and Shri M.S Mahajan, learned C.P.O for the Respondents.

2. Letter dated 15.3.2021 is produced on record by the Respondent, through Under Secretary Public Health Department, wherein the request of the applicant for transfer to Vaizapur was considered as per the order of this Bench and her request is hereby rejected. The Respondents are directed to serve copy of the order to the applicant.

3. In view of the above C.A stands disposed of.

Sd/-

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

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
	<p><u>15.03.2021</u></p> <p align="center"><u>M.A 331/2020 in O.A 76/2018 (Aurangabad)</u> (Video Conference)</p> <p>The State of Maharashtra & Ors ... Applicants (Ori Respondents)</p> <p align="center">Vs.</p> <p>Shri P.S Andhale ... Respondent (Ori Applicant)</p> <p>1. Heard Shri M.S Mahajan, learned C.P.O for the applicants (Ori Respondents) and Shri A.S Deshmukh, learned advocate for the Respondents (Ori Applicants).</p> <p>2. M.A is filed by the Respondent-State and Collector, Beed. They have prayed that the interim order dated 18.9.2018 passed in O.A 76/2018 may be vacated.</p> <p>3. We have perused the order dated 18.9.2018, which reads in para 3 as under:-</p> <p align="center"><i>“3. Learned advocate for the applicant submits that according to his instructions, DPC would be held sooner as the necessary information is collected. In the circumstances holding of DPC be continued and result thereof be filed on record and it shall not be implemented unless specific order is secured from this Tribunal.”</i></p> <p>4. Today during hearing, learned C.P.O submits that accordingly the DPC was held on 30.9.2020. He, therefore, submits that subject to the outcome of this Original Application, the Respondents may be allowed to proceed with the promotions to meet the administrative exigencies.</p> <p>5. Learned counsel for the Respondents (Original applicants) submits that the modification of the interim order should not hamper or damage his rights. It is clarified that the interim order is modified subject to the outcome of the Original Application.</p> <p>6. We, therefore, direct that the promotions as per the DPC findings be implemented with specific mention that it will be subject to the outcome of this O.A. The interim relief dated 18.9.2018 is modified accordingly.</p> <p>7. S.O to 30.4.2021 for final hearing at M.A.T, Aurangabad.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N Dixit) (Mridula Bhatkar, J.) Vice-Chairman (A) Chairperson</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><u>15.03.2021</u></p> <p align="center"><u>O.A 277/2020</u></p> <p>Dr S.B Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan , learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that Mr Sharad Makne, Desk Officer, Medical Education and Drugs Department, produces the order dated 15.3.2021 by which the applicant Dr S.B Chavan is given appointment and given posting at Government Medical College at Kolhapur. Copy of order is taken on record and marked as Exh. 1.</p> <p>3. In view of the above, O.A stands disposed of.</p> <p align="center">Sd/- (P.N`Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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

Tribunal's orders

O.A. No.207 of 2021

Govind G. More & Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri V.A. Nagrani, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicants challenge the seniority list dated 11.10.2018 and prays that it is to be quashed and set aside to the extent of fixing seniority of the applicants for the year 2015 instead of 2014 and also challenges the order dated 12.2.2021. A query is made on the point of limitation and the applicants are required to satisfy this query on the next date.

3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.

4. Issue notice before admission returnable on 29.4.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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.

Sd/-

(P.N. Dixit)
Vice-Chairman
15.3.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
15.3.2021

**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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15.03.2021

M.A 612/2019 in O.A 1084/2019

Shri K.D Salunke & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri V.S Valimbe, learned advocate for the applicants, Ms Swati Manchekar, learned Chief Presenting Officer for Respondents 1 to 6 and Shri S.S Dere, learned advocate for Respondents no 9 and 84.

2. Misc Application to sue jointly allowed, subject to payment of court fees, if not already paid.

Sd/-

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

Akn

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

M.A./R.A./C.A. 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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15.03.2021

**O.A 384/2019 (Aurangabad)
Video Conference**

Shri Vinayak B. Kapse & Ors ... Applicants
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.B Kolpe, learned advocate for the applicants and Shri M.S Mahajan, learned C.P.O for the Respondents.

2. Today during the hearing the learned counsel for the applicants submits that in M.A 239/2019 in O.A 848/2019 by order dated 4.6.2019, it was ordered as under:-

"The present M.A is disposed of with following direction. Promotion, if any, ordered furtherance to ensuing DPC shall be subject to outcome of the present O.A 384/2019."

3. Learned counsel further points out promotion order were issued on 30.8.2019. However, there is no reference to this particular order.

4. Learned C.P.O submits that it has been erroneously not mentioned and necessary rectification will be done within two weeks and fresh amended order will be issued before 31.3.2021.

5. Place for final hearing on 30.4.2021 at M.A.T, bench, Aurangabad

Sd/-

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

Akn

Sd/-

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

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

Tribunal's orders

O.A. No.162 of 2021

Padmakar V. Parkhe ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO pursuant to order dated 12.3.2021 passed by this Tribunal in the above OA, submits that as per GAD's letter dated 29.12.2017 (taking benefit of reservation), applicant's case was not considered for promotion to the post of Assistant Commandant. However, now as per GAD's letter 18.2.2021, name of the applicant is considered for promotion to the post of Assistant Commandant and accordingly on 25.2.2021 the Home Department has called proposal from the office of the DGP. Hence, we call upon the written report within one week.

3. Ld. Advocate for the applicant produces letter dated 11.2.2021 and she submits that similarly situated persons who were not considered as per letter dated 29.12.2017 are now promoted by order dated 2.3.2021.

4. Ld. Advocate for the applicant further submits that though there are specific orders dated 1.12.2020 in OAs. No.825 & 826 of 2020 directing the Government to consider such persons for promotion, only the applicant is signaled out at the time of issue of orders on 2.3.2021.

5. S.O. to 22.3.3021.

Sd/-
(P.N. Dixit)
Vice-Chairman
15.3.2021

Sd/-
(Mridula R. Bhatkar, J.)
Chairperson
15.3.2021

(sgj)

**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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15.03.2021

O.A 810/2018

Shri T.L Savane ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Affidavit in reply is filed by Respondent no. 3, Dy. Director of Education, Pune, through Mrs Meenakshi Bharat Raut, dated 19.12.2018. However, we don't find any affidavit in reply filed on behalf of Respondent no. 2. Today sur-rejoinder is filed on behalf of Respondent no. 3, through Shri Hemant Watade, Administrative Officer (Jr)

3. On query, we are informed that applicant retired on 31.5.2020. He was given provisional pension of Rs. 39,253/- till 30.11.2020. Thereafter, as he was wrongly promoted earlier and more amount was paid to him during his service, the Respondents have decided to recover that amount and therefore, they have stopped paying the provisional pension from 30.11.2020.

4. Learned P.O has submitted that Respondent no. 3 has moved the proposal about extension of time beyond six months for payment of provisional pension. The said proposals dated 25.6.2020 and 11.11.2020 sent by Respondent no. 3 to Respondent no. 2 are still pending. None present for Respondent no. 2. Hence, we direct Respondent no. 2 to make statement/affidavit in writing without fails on 18.3.2021, wherein it is to be informed what happened to these proposals and applicant is entitled to how much provisional pension.

5. S.O to 18.3.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

O.A. No.205 of 2021

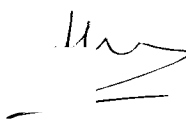
Shubhangi J. Katkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The applicant seeks appointment to the post of Junior Accountant. Ld. PO to make specific statement as to when the appointment order is going to be issued.
3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.
4. Issue notice before admission returnable on 8.4.2021.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
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.

Sd/-
(P.N. DIXIT)
Vice-Chairman
15.3.2021

(sgj)

Sd/- 
(Mridula R. Bhatkar, J.)
Chairperson
15.3.2021

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

Tribunal's orders

O.A. No.204 of 2021

Bhanudas B. Nimgire ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The applicant seeks appointment to the post of Accounts Clerk. Ld. PO to make specific statement as to when the appointment order is going to be issued.

3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.

4. Issue notice before admission returnable on 8.4.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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.

Sd/-

(P.N. Dixit)
Vice-Chairman
15.3.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
15.3.2021

**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"><u>O.A. No.411 of 2020</u></p> <p>N.B. Nagargoje ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files rejoinder and the same is taken on record.</p> <p>3. Admit.</p> <p>4. S.O. to 14.6.2021 for final hearing.</p> <p align="center">Sd/- 18/3 Sd/- </p> <p>(P.N. Dixit) / (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 15.3.2021 15.3.2021</p> <p>(sg)</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 align="center"><u>O.A. No.708 of 2020</u></p> <p>Sadhana Gulhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Shriya Gune, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO produces order dated 12.3.2021 directing the applicant to join the duties. Ld. Advocate for the applicant submits that applicant has received this order on WhatsApp and she will be joining today.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 23.3.2021.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 15.3.2021 15.3.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.754 of 2020</u></p> <p>B.S. Pawar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that within two weeks reply will be filed. However, we pointed out that enquiry is pending since 2015 and till today the stage of enquiry is not informed to the Tribunal. So we want the update of the enquiry as to how many witnesses are examined and how much time is required to complete the enquiry as per estimate of the respondents.</p> <p>3. S.O. to 30.3.2021.</p> <p align="center">Sd/-)</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 15.3.2021 15.3.2021</p> <p>(sg)</p>

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

Tribunal's orders

O.A. No.131 of 2021

M.J. Kadam ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.B. Kadam, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

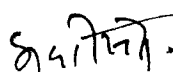
2. Ld. CPO informs that charge sheet was issued on 1.8.2019 however, the enquiry officer is appointed on 5.3.2021. Ld. CPO on query made by us informs that there is only one Enquiry Officer for Konkan Division and as of today nearly 200 (two hundred) enquiries are pending with her.


3. In view of this information, we suo moto call upon the General Administration Department to file affidavit through a responsible officer as to how many enquiry officers are appointed and how many enquiry officers are working in Konkan Division and how many enquiries are pending before them and also give us the estimated time as to when these enquiries will be completed.

4. It is noticed that aggrieved government officers file OA and pray that due to long pendency of the enquiry they are deprived their legal claims. It is difficult for the Tribunal to take details in such matters and therefore the Government is called upon to supply the details. ^{as asked above} It is further made clear that GAD to take into account if there is a heavy load on the enquiry officers and if it is not possible for them to clear the said enquiries. Hence, it is necessary on the part of the Government to appoint more enquiry officers.

5. S.O. to 5.4.2021.

Sd/-


(P.N. Dixit)
Vice-Chairman
15.3.2021


(Mridula R. Bhatkar, J.)
Chairperson
15.3.2021

(sgj)

Sd/-

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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15.03.2021

O.A 187/2021

Shri D.N Shinde ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri D.B Khaire, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned C.P.O for the Respondents.

2. Learned counsel for the applicant submits that the applicant challenges the order dated 10.9.2020 of not absorbing or appointing the applicant on the post of Civil Engineering Assistant. The applicant further prays that he be held eligible to get the pay scale of the post of Junior Engineer as per G.R dated 16.9.2016 and thereby direct the Respondents to grant the pay scale for the post of Junior Engineers to him. Learned counsel submits that this is a third round of litigation. He has earlier filed O.A 649/2016, seeking directions against the Respondents for absorption in the cadre of Civil Engineering Assistant. The said O.A was filed jointly. However, his colleague was absorbed but he was not absorbed. Therefore, he has filed Contempt Petition. In the said Contempt Petition, this Tribunal has taken a view that as the decision to consider the applicant was taken by the Respondents, nothing remains in the Contempt Petition. Therefore, he has now filed the present O.A as this was the only remedy available to him.

3. Issue notice returnable on 26.4.2021.

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

7. S.O to 26.4.2021.

Sd/-

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

Aln

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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><u>15.03.2021</u></p> <p align="center"><u>O.A 144/2021</u></p> <p>Smt Smita S Khaladkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant challenges the order of her compulsorily retirement dated 22.10.2019, and so also the order dated 22.12.2020, passed by Respondent no. 2, the appellate authority, thereby rejecting her appeal against the order of compulsory retirement.</p> <p>3. Issue notice returnable on 26.4.2021.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 26.4.2021.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</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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15.03.2021

O.A 253 & 254/2020

Shri Gopal G. Beldar
 Shri Bapurao F. Bhosale ... Applicants
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.G Salunke, learned advocate for the applicants and Shri M.S Mahajan, learned C.P.O for the Respondents.

2. The brief is not available. The matter pertains to Article 311 (2) of the Constitution of India. Learned counsel Mr Salunke submits that both the applicants are dismissed from service without holding enquiry on 28.5.2020.

3. Learned C.P.O informs that offence is registered under Sec 7 of the Prevention of Corruption Act.

4. Matter is placed on 23.3.2021 at 2.30 am through V.C.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

kgsalunke 73@gmail.com.

9422210460

Kiran G. Salunke
B.S.L., L.L.B.
ADVOCATE

M 4 9422210460

"Kausalya" Jai Bhavani Housing Socy, Plot No. 10, Pundit Nagar Road, Garheda, Aurangabad-02

Ref:

Date: 2 / 3 / 2021

To,
The Additional Registrar,
M.A.T. / High Court of Judicature at
Bombay Bench at Aurangabad

CIRCULATION NOTE

Original Appm. 253, 254 / 2020
Civil/Misc. Application No. of 20

IN

W.P., F.A., S.A., Cr.W.P., O.A. (Stamp) No. of 20
① Gopal Gorakh Belder Petitioner/Applicant
② Bapurao Fakira Bhosale
VERSUS
Supt of Police Respondent/Opponents

District Jalgaon. Filed on 28.7.2020

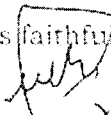
Sir,

Be pleased to direct the office to place above matter for urgent Admission/Urgent orders/ Hearing interim relief on A.3.2021 before the Hon'ble Division Bench/~~Single Bench~~.

I personally undertake to remove all office objections if including deficit of court fees, if any.

Thanking you.

Yours faithfully,



(K.G. Salunke)
Advocate for the Petitioner
Applicant / Respondent

kgsalunke 73@gmail.com.

Urgency:

2 Matters ~~is~~ pertain to Act 311(2), and cover by judgment of Apex Court, High Court, and Hon'able Tribunal Reply is filed. As the applicant is out of service since 1 yrs.

R.O.I

2 / 3 / 2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 722 OF 2019 (AURANGABAD)
WITH
ORIGINAL APPLICATION NO. 1084 OF 2019 (MUMBAI)**

DISTRICT : MUMBAI

Shri Gajanan Babulal Bansode & Ors)...**Applicants**

Versus

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

Shri A.S Deshpande, learned advocate for the Applicants has filed leave note.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents no 1 to 6.

Shri M.B Kolpe, learned counsel for Respondent no. 4 in O.A 722/2019.

Shri S.A Valimbe, learned advocate for the applicants in O.A 1084/2019.

Shri S.S.Dere, learned advocate for Respondents no. 9 & 84 in O.A 1084/2019.

**CORAM : Justice Mridula R. Bhatkar (Chairperson)
Shri P.N Dixit (Vice-Chairman) (A)**

DATE : 15.03.2021

PER : Justice Mridula R. Bhatkar (Chairperson)



ORDER

1. This is a Supreme Court time bound matter. However, Mr A.S Deshpande, is not present as he has filed his leave note on account of lock down in Aurangabad due to Covid Pandemic. Ms Swati Manchekar, learned C.P.O for Respondents No. 1 to 6 in O.A 1084/2019, Mr M.B Kolpe, learned Spl Counsel for Respondent no. 4, MPSC in O.A 722/2019. Mr S.A Valimbe, learned counsel for the applicants in O.A 1084/2019. Mr S.S Dere, learned advocate for Respondents no 9 & 84 in O.A 1084/2019.

2. In O.A 722/2019, 636 Respondents are not made party, but they are party in O.A 1084/2019. As per the order of the Hon'ble S.C, it is responsibility of the Respondent no. 5, Director General of Police to issue notice to all the Private Respondents. This Tribunal by order dated 20.2.2020, has specifically directed to serve the Respondents by 15.3.2021.

3. Learned C.P.O informs that she has not received instructions about service of notice on the Private Respondents.

4. In O.A 1084/2019 Shri S.A Valimbe, learned counsel appearing for applicants Shri Kunal D. Salunke and Shri Sujit S. Patil, submits that he has filed this O.A against the Respondents for challenging the order dated 5.3.2018, directing to promote and absorb 186 candidates issued by the Respondent no. 2, Home Department, on the basis of Limited Departmental Competitive Examination of 2016 and seeking further direction to send them for training as P.S.I

5. Learned counsel for the applicants submits that he proposes to make necessary amendment in the cause title of the Original

Application. He also seeks permission to delete prayer clause (a), (e) & (h) and amend prayer clause (b) & (c). Learned advocate for the applicants further submits that out of the private Respondents 7 to 828, he wants to drop 186 private Respondents and make necessary amendments. He seeks two days' time to carry out the necessary amendment. Permission granted.

6. It is made clear that in view of Covid Pandemic situation in Mumbai and Aurangabad we modify our order dated 26.2.2021 regarding clubbing of the two Original Applications i.e. 722/2019 and 1084/2019.

7. O.A 722/2019 is taken in Mumbai by the Principal Bench in view of the order of Hon. S.C dated 5.2.2021 that it is time bound matter which is to be decided within six months from the date of the receipt of the order. The order was received on 25.2.2021 and thus it should be decided by August, 2021. However, the Aurangabad bench is non-functional as nobody is appointed by the Union of India as Members (A) and (J) and the file is pending with the Central Government. With the view to expedite the matter, we have decided to comply with the order of Hon'ble Supreme Court to the extent of issue of notice to the 636 private Respondents. Accordingly we have given directions to the Respondents to serve notices to the 636 private Respondents. After obtaining report of service of notice, O.A 722/2019 will be sent back to Aurangabad as two intervention applications are filed in the said Original Application, and five advocates from Aurangabad are appearing in this matter.

8. Learned advocate for the applicants further submit that he has obtained email add of private Respondents and seeks permission to serve the O.A on the private Respondents through

u/

email. Learned counsel for the applicants is directed to serve copy of the Original Application on all the Respondents through email.

9. In O.A 722/2019, the learned counsel for the applicants has not carried out the amendment of adding additional private Respondents that is 636, as per the order of Hon'ble Supreme Court in the array of the Respondents. So also learned counsel for the applicants have not furnished copy of O.A 722/2019 to the office of the learned C.P.O, Mumbai, and therefore, notices cannot be served on the 636 private Respondents as amendment has not been carried out.

10. Shri A.S Deshpande, learned counsel for the applicants is directed to remain present before this Tribunal on 18.3.2021, though he has given leave note from 15.3.2021 to 26.3.2021. We make it clear that if learned counsel is appearing in any Court at Aurangabad then his presence is necessary in this matter on 18.3.2021 along with the amendment application for adding 636 private Respondents in the array of Respondents in O.A 722/2019.

11. O.A 733/2019 to be listed along with the present Original Applications on 18.3.2021.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 15.03.2021
Dictation taken by : A.K. Nair.

**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: 15.03.2021</p> <p>M.A. No.34 of 2021 in O.A. No.55 of 2021</p> <p>S.B. SavlekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Savita Suryawanshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents No.1 & 2 and None for the Respondent No.3 & Shri Mayuresh S. Lagu, learned Advocate for the Respondent No.4.</p> <p>2. Enough time is granted for filing Reply. However, two weeks time is granted as most last chance.</p> <p>3. S.O. to 30.03.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 15.03.2021</p> <p>O.A. No.350 of 2020</p> <p>Dr. Shaikh M.A.S.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. Adjourned to 24.03.2021 for Rejoinder.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 15.03.2021</p> <p align="center">O.A. No.318 of 2020</p> <p>D.P. KharmateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. Adjourned to 24.03.2021 for Rejoinder.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders


Date: 15.03.2021

O.A. No.202 of 2021

A.V. JadhavarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A. Jadhav, learned Advocate for the Applicant and Shri A.J. Choguule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 09.04.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 09.04.2021.

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>Date: 15.03.2021</p> <p>O.A. No.28 of 2021</p> <p>D.B. PawarApplicant 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 Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 05.04.2021. 3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. In the mean time, learned P.O. shall take instructions about the representation made by the Applicant dated 05.12.2014 for ^{condonation} continuation of break in service and to appraise the Tribunal on next date. 9. S.O. to 05.04.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 15.03.2021

O.A. No.645 of 2020

D.D. MaliApplicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri M.B. Kadam, leaned Advocate holding for Shri L.S. Deshmukh, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. On request, time is granted to learned P.O. to file Reply.
3. Interim Relief to continue till next date.
4. S.O. to 05.04.2021.

Sd/-

^w
 (A.P. Kurhekar)
 Member (J)

NMN

**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 align="center">Date: 15.03.2021</p> <p align="center">O.A. No.122 of 2021</p> <p>D.D. RaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. The present O.A. is filed by the widow of the deceased Police Constable for revision of pension by grant of deemed date of promotion to her husband to the post of A.S.I. Her husband died on 30.10.2017, she had made various representations to the Respondent No.1 but the same were not responded, and therefore, the Applicant has filed the present O.A.</p> <p>3. Thus, it appears that the representations made by the Applicant are under consideration of Respondent No.1. Respondent No.1 is therefore directed to take appropriate decision and to appraise the Tribunal about the same on the next date so that matter can be disposed of if the Applicant grievance is addressed.</p> <p>4. Issue notice to the Respondents before admission returnable on 05.04.2021.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. 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.</p> <p>10. Steno Copy allowed.</p> <p>11. S.O. to 05.04.2021.</p> <p style="text-align: right;">Sd/- ✓✓ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.03.2021</p> <p>R.A. No.01 of 2020 in O.A.No.894 of 2018</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>Shri Anil R. Khedekar ...Respondent (Ori. Applicant)</p> <p>1. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri K.R. Jagdale, learned Counsel for the Respondent (Ori. Applicant).</p> <p>2. Today, the Tribunal has condoned the delay caused in filing R.A.</p> <p>3. In R.A. reply is already filed.</p> <p>4. Hence, the matter is adjourned for hearing on 30.03.2021.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

**MISC. APPLICATION NO.08 OF 2020
IN
REVIEW APPLICATION NO.01 OF 2020
IN
ORIGINAL APPLICATION NO.894 of 2018**

1. The State of Maharashtra through)
Secretary, Public Works Department)
Mantralaya, Mumbai.)
2. The Director, Chawl Development)
Department, G.J. Marg, Worli,)
Mumbai -18.)
3. The Manager, Chawl Development)
Department, BDD Chawl No.51,)
Ground Floor, Bhosale Marg, Worli,)
Mumbai - 18.)
4. The Secretary, General Admn. Dept.)
Mantralaya, Mumbai.)
5. The District Collector & District)
Magistrate, Mumbai City, Shahid)
Bhagat Singh Marg, Fort, Mumbai 1.)... **Applicants**
(Ori. Respondents)

Versus

Shri Anil Ravindra Khedekar)
Age 49 years, Occ : Nil)
R/at Worli BDD Chawl, 113, R.No.35,)
Worli, Mumbai 400 018.)...**Respondent (Ori.**
Applicant)

Smt Kranti Gaikwad, learned Presenting Officer for the Applicants (Ori. Respondents).

Shri K. R. Jagdale, learned Advocate for the Respondent (Ori. Applicant).

CORAM : Shri A.P. Kurhekar, Member-J

DATE : 15.03.2021

Handwritten signature

J U D G M E N T

This is an application for condonation of delay of 4 months and 27 days in filing Review Application in respect of the judgment / order dated 09.07.2019 passed by this Tribunal in O.A.No.894/2018.

2. The Tribunal by judgment dated 09.07.2019 allowed the Original Application No.894/2018 partly, giving directions to Respondents to consider the claim of the Applicant for appointment on compassionate ground subject to fulfillment of eligibility criteria in accordance to rules.
3. The Respondents had filed Review Application on the ground that the Applicant has crossed the age limit, and therefore, his claim for appointment on compassionate ground cannot be considered. Since the Review Application is delayed by 4 months and 27 days, the application is made under Section 5 of Limitation Act for condonation of delay.
4. In so far as the ground for condonation of delay is concerned, the Respondents sought to contend that after the decision of the Tribunal, the file was sent to the Government and after taking opinion by Law & Judiciary Department, the Respondents decided to file Review Application. Since in this process, it took 4 months and 24 days, the Respondents sought to condone the delay.
5. Smt. Kranti Gaikwad, learned Presenting Officer for the Ori. Respondents submits that there is no intentional delay and time was spent for moving the proposal to the Government and after opinion of the Law & Judiciary only, the Review Application has been filed. She submits that the Ori. Respondents have good case on merit and delay be condoned in the interest of justice.
6. Per contra, Shri K.R. Jagdale, learned Counsel for the Ori. Applicant submits that delay is not properly explained and the Respondents are guilty of negligence.

7. Needless to mention that while considering the application for condonation of delay, the Court should adopt justice oriented approach so as to advance the justice and to decide the matter on merit, if there is no intentional delay on the part of parties.
8. Apart, in the present case, the Applicant being State, some latitude is not impermissible since the decision as to whether to accept the judgment passed by the Tribunal / Court or to challenge the same by filing appeal or review, as the case may be, needs to be taken after moving the file from one department to another department and some delay in the said procedural compliance is obvious.
9. True, the Government by order dated 18.10.2019 asked the Applicant No.2 –Director Chawl Development Department to file Review Application at the Tribunal. However, review has been filed on 04.01.2020. Obviously, it took some time to approach the office of C.P.O. and then to file Review Application. As such, it cannot be said that there is any intentional delay or negligence in approaching the Tribunal.
10. I am, therefore, inclined to condone the delay of 4 months and 27 days caused in filing Review Application.
11. Accordingly, delay is condoned and M.A. is allowed.

Sd/-

(A.P. KURHEKAR)
MEMBER (J)

Date : 15.03.2021
Place : Mumbai
Dictation taken by :
Vaishali Santosh Mane

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