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

Tribunal's orders

Date: 15.09.2020

O.A.No.223 of 2020

- 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
- 2. Present O.A. is filed by six Applicants and out of them, two are retired from service. The Applicants are challenging the impugned orders of recovery sought to be made from the retiral benefits as well as Pay and Allowances of the Applicants. The recovery seems to have been ordered due to excess payment made to them on account of wrong fixation of pay scale and conferment of benefits.
- 3. The Applicants belong to Class-7 employees. In view of the decision of the Hon'ble Supreme Court in Civil Appeal No.11527/2014 (State of Punjab and others Vs. Rafiq Masih (White Washer), decided on 18th December, 2014, the recovery from employees belonging to Class-7, recovery from retired employees and recovery from employees when the excess payment has been made for a period in excess of five years before the order of recovery is issued, is not permissible.
- In view of above, interim relief in terms of Para 10(c)
 of O.A. is granted.
- 5. Learned Counsel for the Applicants is directed to serve the amended O.A. to the Respondents in the meantime. Adjourned for filing of the reply of Respondents.
- 6. S.O. to 13.10.2020.

Sd/-

(A.P. Kurhekar) Member(J)

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

of 20

IN

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

Date: 15.09.2020

M.A. No.586 of 2019 in O.A.No.88 of 2019

- 1. Heard Shri A. J. Chougule, learned Counsel for the Applicants (Ori. Respondents). The Respondent (Ori. Applicant) and his Counsel both are absent.
- 2. This M.A. No.586/2019 was filed for extension of time to comply the direction given by the Tribunal in order dated 05.07.2019 *inter-alia* directing for completion of service book within a period of three months.
- 3. Today, learned P.O. for the Applicants (Ori. Respondents) submits that the directions given by the Tribunal has been complied with and has tendered a letter dated 24.12.2019 to that effect.
- 4. As such, the direction for completion of entries in service book has been complied with though belatedly.
- 5. In view of above, Misc. Application is disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar) Member(J)

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

of 20

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(P.N. Dixit) Vice-Chairman (Mridula R. Bhatkar, J.) Chairperson

Original Application No.

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date: 15.09.2020		
	M.A. No.162 of 2020 in O. A. No.258 of 2018		
	C.A. Rane	Applicant	
	Versus The State of Maharashtra	& OrsRespondents	
		an A. Bandiwadekar, learne ant and Smt. K.S. Gaikwad for the Respondents.	
	2. P.O. seeks three w	eeks time. Time granted.	
	3. Last Chance.		
	4. S.O. to. 29.09.2020		
	Sd/-	At Sd/-	
	(P.N. Dixit) Vice-Chairman	(Mridula R. Bhatkar, J Chairperson	
	NMN		
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders

Tribunal's orders

Date: 15.09.2020

O.A. No.478 of 2020

NAME OF BURNINGS

D.D. Patil VersusApplicant

The State of Maharashtra & Ors.Respondents.

- 1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms. Swati Manchekar, learned C.P.O for the Respondents.
- 2. The applicants in this O.A. submit that he was called for physical test from 24.2.2020 to 23.3.2020. When he appeared before the Medical Officer, he was declared fit, even though he had produced Medical Certificates indicating their physical defects/infirmities of temporary nature.
- 3. Since he was not fit, they did not participate in the physical examination and left the ground. As per the document produced by the applicant, the physical examination is rescheduled from end of September, 2020. In view of the Medical Certificates produced and demonstrated by the applicants, the Respondents are directed to permit them for the physical examination as scheduled at end of September, 2020. He should carry the physical fitness certificate before the Medical Officer from the competent Government authority on the scheduled date of physical test.
- 4. The MPSC is directed to carry out his physical examination after he produces the fitness medical certificate on the scheduled date.
- 5. With the above directions, the O.As stand disposed of.

Sd/-

(P.N. Dixit) Vice-Chairman (Mridula R. Bhatkar, J.) Chairperson

Sd/-

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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

Date: 15.09.2020

O.A.No.472 of 2020

K.S. Bhalerao

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri M.D. Lonkar, learned advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Applicant and Respondent No.4 are present in person.
- 2. Learned C.P.O. for the Respondents informs that Respondent No.4 has taken charge of the said post on 11.09.2020. She is directed to produce the copy on next date.
- 3. Learned Advocate for the Applicant is granted liberty to make submissions on the interim relief after going through the reply. Respondents to keep ready ACR's of both the candidates.
- 4. Time granted to file reply on 24,08.2020.
- 5. Adjourned to 24.08.2020.

Sd/-

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

(Mridula R. Bhatkar, J.) Chairperson

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

Tribunal's orders

Date: 15.09.2020

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O.A.No.357 of 2020

M.K. Satputé

... Applicant

The State of Maharashtra & Ors ... Respondents

- 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned P.O. seeks modification in the order passed by this Tribunal on 10.09,2020, especially, in paragraph 4 wherein Respondents were directed that no DPC for promotion to the post of Commandant shall be scheduled and appeal of the applicant will be decided on or before 19.10.2020. Learned P.O. has filed the reply in this matter. Learned P.O. informs that DPC was held on 31.08.2020 and the respondents seeks extension of time for deciding the appeal and wants three months period from today to decide the appeal. The request of the learned P.O. granting three months time is accepted. Till then no order of promotions to the post of commandant are to be issued, if the orders are issued they are not to be implemented.
- 3. Time granted to decide appeal 15,12,2020. Respondent to note that this is the last opportunity for respondent and the concerned officer to decide as the appeal is pending since 11.09,2019.
- 4. This order will not come in the way of the Respondent to consider the applicant for promotion to the post of Commandant if he is found eligible.
- 5. With the above directions the O.A. is dispose off.

[⊃[] (Mridula R. Bhatkar, 'U.) Chairperson

Sd/-

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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

Date: 15.09.2020

O.A.No.299 of 2020

A.R. Bhapkar

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned P.O. for the Respondents files reply. It is taken on record.
- 3. Rejoinder, if any, be filed on next date.
- 4. S.O. to 13.10.2020.

Sd/-

(Mridula R. Bhatkar, J.) Chairperson

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Tribunal's orders

Date: 15.09.2020

O.A.No.298 of 2020

R.S. Karpe

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
- 2. Learned P.O. submits that he wants two weeks time to file reply. Five weeks time is granted for filing reply by way of last chance.
- 3. Parties to take note that matter will be finally disposed off at the stage of admission.
- 4. S.Ø. to 08.10.2020.

AM Sd/

(Mridula R. Bhatkar, J.) Chairperson

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Tribunal's orders

Date: 15.09.2020

O.A.No.435 of 2020

R.K. Pawar

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri H.P. Ghadigaonkar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Smt. Punam Mahajan, learned Advocate for Respondent No.4.
- 2. Learned P.O. for the Respondents files his affidavit. Learned Advocate Smt. Punam, Mahajan for the Respondent No.4, files affidavit and vakalatnama. Those are taken on record.
- 3. S.O. to 08.10.2020

Sd/-

(Mridula R. Bhatkar, J.) Chairperson

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Appearance, Tribunal's orders or	Tribunal's orders	
directions and Registrar's orders		
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Date: 15,09.2020

O.A.No.273 of 2020

M.N. Thombre

... Applicant

Vs

The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Time granted as request by learned P.O. for the Respondents for filing reply.3.
- 3. Adjourned to 13.10.2020.

M Sd/-

(Mridula R. Bhatkar, J.) Chairperson

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Tribunal's orders

Date: 15.09.2020

O.A.No.272 of 2020

Dr. K.S. Deshpande Vs.

... Applicant

The State of Maharashtra & Ors

... Respondents

- Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- The proposal is forwarded on 14.09.2020 from the District Health Officer to Deputy Director. I am to inform that Dr. Sanjay Deshmukh is the incharge. The concerned Officer is directed to take the decision and process the file forward.
- This matter is pending before this Tribunal since 23.06.2020. The applicant is a Doctor and therefore the Respondent Government is directed to take appropriate steps quick.ly and expedite the matter
- S.O. to 13.10.2020.

1519 (Mridula R. Bhatkar, J.) Chairperson

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

Tribunal's orders

Date: 15.09.2020

O.A.No.272 of 2020

Dr. K.S. Deshpande **Vs.**

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. The proposal is forwarded on 14.09.2020 from the District Health Officer to Deputy Director. I am to inform that Dr. Sanjay Deshmukh is the incharge. The concerned Officer is directed to take the decision and process the file forward.
- 3. This matter is pending before this Tribunal since 23.06.2020. The applicant is a Doctor and therefore the Respondent Government is directed to take appropriate steps quickly and expedite the matter
- 4. S.O. to 13.10.2020.

M sd/

(Mridula R. Bhatkar, J.) Chairperson

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

Tribunal's orders

Date: 15.09.2020

O.A.No.452 of 2020

R.N. Mohite

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri H.P. Ghadigaonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. The Applicant is Sub Inspector, State Excise. Learned Advocate submits that though the transfer order of Respondent No.4 in his place is issued, the applicant has not received any order of his posting.
- 3. Affidavit of service is taken on record. Applicant challenges the transfer order dated 10.08.2020 passed by Respondent No.4 Shri Ashok Mallayya Katkam to present posting of the applicant i.e. "U" Mumbai Suburban.
- 4. Learned Advocate submits that by order dated 04.09.2020 the applicant was transferred at U Division, Bit No.2, Mumbai Suburban and he has resumed that posting thereafter.
- 5. Respondent No.4 is present in the Tribunal and informs that he has joined duty at "U" Division, Bit No.2, Mumbai Suburban on 11.08.2020. Learned P.O. submits that by order dated 16.05.2018 he was given posting at Mansa Agency, Mumbai Suburban and thereafter by order dated 20.08.2019 he was given additional charge of U-Division, Bit no.2, Mumbai Suburban and now the Respondent No.4 is given the regular posting at U-Division and therefore the applicant has to give up his additional charge and continue with his original posting at Mansa Agency.
- 6. Applicant is challenging the following points:-
 - (a) The Joint Commissioner (Admin) State Excise is not the competent authority to overcome the order of the State which was passed on 04.09.2019.
 - (b) No procedure under ROT Act is followed and Respondent No.4 is also not due for transfer.
- 7. All Respondents to file reply. Four weeks time is granted.
- 8. S.O. to 13.10.2020.

Sd/-

(Mridula R. Bhatkar, J.) Chairperson

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

Tribunal's orders

Date: 15.09.2020

O.A.No.452 of 2020

R.N. Mohite

... Applicant

The State of Maharashtra & Ors

... Respondents

- Heard Shri H.P. Ghadigaonkar, Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- The Applicant is Sub Inspector, State Excise. Learned Advocate submits that though the transfer order of Respondent No.4 in his place is issued, the applicant has not received any order of his posting.
- Affidavit of service is taken on record. Applicant challenges the transfer order dated 10.08.2020 passed by Respondent No.4 Shri Ashok Mallayya Katkam to present posting of the applicant i.e. "U" Mumbai Suburban.
- Learned Advocate submits that by order dated 04.09.2020 the applicant was transferred at U Division, Bit No,2, Mumbai Suburban and he has resumed that posting thereafter.
- Respondent No.4 is present in the Tribunal and informs that he has joined duty at "U" Division, Bit No.2, Mumbai Suburban on 11.08.2020. Learned P.O. submits that by order dated 16.05,2018 he was given posting at Mansa Agency, Mumbai Suburban and thereafter by order dated 20.08.2019 he was given additional charge of U-Division, Bit no.2, Mumbai Suburban and now the Respondent No.4 is given the regular posting at U-Division and therefore the applicant has to give up his additional charge and continue with his original posting at Mansa Agency.
- Applicant is challenging the following points:-
 - (a) The Joint Commissioner (Admin) State Excise is not the competent authority to overcome the order of the State which was passed on 04.09.2019.
 - (b) No procedure under ROT Act is followed and Respondent No.4 is also not due for transfer.
- All Respondents to file reply. Four weeks time is granted.
- S.O. to 13.10.2020.

Sd/-

(Mridula R. Bhatkar, Chairperson

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Tribunal's orders

Date: 15.09.2020

O.A.No.475 of 2020

Dr. D.A. Patil

... Applicant

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri A.U. Pawar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. The Applicant works as Livestock Development Officer Group-A. The applicant is challenging the order of transfer dated 07.08.2020, where he is transferred from Taluka Karmala, Veet, District Solapur to Kavtemahakal, District Sangli. The Applicant was due for transfer, however, he has hearing disability.
- 3. The Applicant submits that he hails from Veet and as per the provisions of PWD Disability Act of 1995, the disable person is to be posted near his native place. Besides the applicant has two children, 7 and 10 years old and his wife is passed away. He has to shoulder responsibility of his old parents.
- 4. At present the applicant is suffering from coronavirus and is quarantine, so he is not on duty and is on medical leave.
- 5. S.O. to 01.10.2020

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(Mridula R. Bhatkar, J.) Chairperson

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

Tribunal's orders

Date: 15.09.2020

O.A.No.451 of 2020 with O.A.No.453 of 2020

A.G. Gote

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri Lad, learned Counsel appears for Respondents No.4,5 and 6 (MHADA).
- 2. The applicant challenges his order dated 01.02.2020 repatriating him to his Parent Department i.e. Respondent No.3 (Rural and Panchayat Department) and also challenges the order dated 24.02.2020 reliving him from MHADA where he was working as Joint Chief Officer, MHADA.
- 3. O.A.No.453/2020 is filed for incorporating Respondent No.6. The Applicant has challenged the order of posting of Respondent No.6. In the said petition, in his place appointment of Respondent No.6 is made. Learned Advocate submits that the applicant is transferred before the completion of his normal tenure of three years which is going to be completed in December 2020.
- 4. Learned Counsel Shri Lad appears for Respondent No.4,5 and 6 (MHADA) informs that Respondents No.4, 5 and 6 were served with this application on 10.09.2020. Respondent No.6 has joined to the post of Joint Chief Officer, MHADA on 25.08.2020. He further submits that the procedure laid down under ROT Act in respect of formation of CSB giving special reasons. He also submits that requisite three months notice for repatriation was not given.
- 5. Learned Counsel Shri Lad is directed to file reply. Four weeks time is granted for the same. Learned P.O. is directed to get the affidavit of Respondent No.3, on which post the applicant is accommodated at present. The applicant files the affidavit of service of all the Respondents.
- 6. Matter is adjourned for Reply of Respondent no.3 only to 17.09.2020.

M Sd/(Mridula R. Bhatkar, J.)
Chairperson

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

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date: 15.09.2020		
	O.A.No.447 of 2020		
	D.A. Khade Applicant		
	Vs. The State of Maharashtra & Ors Respondents		
등에 있다. 사람들은 바로 보기 보기 되고 되었다. 생물하는 사람들은 사람들은 사람들은 사람들이 되었다.	1. Heard Shri A.R. Joshi, learned Advocate for th		
	Applicant and Shri A.J. Chougule, learned Presenting		
	Officer for the Respondents.		
	2. In this application the suspension order date		
	11.03.2019 is challenged. Applicant is the Driver in the		
50 11 11 12 11 11 12 12 13 13 14 14 15 15 15 15 15 15 15 15 15 15 15 15 15	Police Department and facing Criminal case. However, E		
	summary is verified by the Police. However, again the		
	Police have withdrawn that B-summary and they want		
	go for investigation. Be that as it may. The Respondent to follow ratio laid down in the case of Ajay Kuma		
	Choudhary Vs. Union of India & Ors. Five weeks time		
	granted for the same.		
(1982년 전 1982년 1일	3. Adjourned to 13.10.2020.		
	M Sd/-		
	(Mridula R. Bhatkàr, J.)		
	Chairperson		

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

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Original Application No.

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Appearance, Tribunal's orders or directions and Registrar's orders	Tribunar's orders
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	Date: 15.09.2020
	O.A.No.425 of 2020
에 하는 사고 있다. 물리를 보고 있는 것이 되는 것이 되는 것이다. 지역을 보고 있는 것이 되었다. 그런 사람들이 가는 것이 되었다.	M.B. Deolikar Applicant
	기 (1) 전 전투학 vs. 도로워크리 (1) 조금 (1) (1) (1)
	The State of Maharashtra & Ors Respondents
	1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougul
	learned Presenting Officer for the Respondents.
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명하다 사용하는 가능하는 것이 되었습니다. 항상 등에 함께 함께 되었습니다. 	2. Respondents to inform about the report of the
	Review Committee and if no review is taken place then the Respondents to take steps accordingly in between.
[2] 그 모르게 다른 경기를 위한 경우 하는 것이다. 공원의 성공에 기업을 함께 하는 사람들은 기본이 되고 있다.	tespondents to take steps accordingly in between.
	3. Four weeks time is granted for the same.
	4. S.O. to 13.10.2020.
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	Mh Sd/-
	(Mridula R. Bhatkar, J.)
	Chairperson
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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	
	Date: 15.09.2020	
	O.A.No.422 of 2020	
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프로젝트 - 프로프로 프로그램 및 스스트 프로그램 -	The State of Maharashtra & Ors Respondents	
	1. Heard Shri Arvind V. Bandiwadekar, learned	
	advocate for the Applicant and Shri A.J. Chougule,	
	learned Presenting Officer for the Respondents.	
병화가 그 그리고 충돌하는 그림 이 아름고 있다.	2. In this matter challenge is to suspension order	
	dated 17.07.2020. Learned Advocate prays for interim	
	relief.	
요한 경우 등 등 사람이 있는 것이 되는 것이 되었다. 일본 경우를 통통하는 기술을 가는 것이 되고 있다.	3. Learned P.O. for the Respondents prays for	
	adjournment to take instructions.	
	adjournment to take histructions.	
해 하는 것으로 살았다. 이 경기 등을 받는 것이 되었다. 그는 것으로 되었다. 라고 하고 있는 것이 되었다. 그 사람들은 것이 되었다. 그 것이 되었다.	Three weeks time is granted for the same.	
실 및 발표를 통하고 있는 소문을 바쁜데 보여 1일 기술을 하는 것을 하는 것이다. 본 10일 전 10일 1일		
	5. Adjourned to 06.10.2020.	
	실하고 있는 그를 하면 하셨다. 그들은 한 경찰에 되었다.	
	Jam Sd/- Fig.	
경영하다. 전 2012년 전 12년 전 12년 1일	1 / VI VI VI ()	
	(Mridula R. Bhatkar, J.)	
<u> 경우의 회원들은 경우의 경우의 경우의 기업을 (</u>	Chairperson	

MUMBAI

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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

Date: 15.09.2020

O.A. No.1133 of 2018

B.A. Kale & Ors.

.....Applicant

Versus

The State of Maharashtra & Ors.Respondents.

- 1. Heard Shri A. Deshpande, learned Advocate for the Applicant, and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. Learned C.P.O. submits that the file is moved from G.A.D. and it has come back to Public Health Department (P.H.D.) and it will be sent to Law and Judiciary Department today.
- 3. As it is very old matter pertaining to Nurse the matter should appear on board regularly.
- 4. Learned C.P.O. to inform development in Law and Judiciary Department.
- 5. S.O. to 22.09.2020.

Sd/-

(P.N. Dixit) Vice-Chairman

(Mridula R. Bhatkar, J.) Chairperson

Sd/-

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

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FARAD CONTINUATION SHEET No. Office Notes, Office Memoranda of Coram, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date: 15.09.2020 C.A. No.64 of 2019 in O. A. No.333 of 2018 **B.B.** ChavanApplicant Versus The State of Maharashtra & Ors.Respondents. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. Learned P.O. submits that the order dated 18.04.2019 passed by the Tribunal in O.A. No.233/2018 is complied by giving the pensionary benefits to the Applicant. Learned P.O. submits that as she tenders the apology and will also file written Affidavit during the course of the day, kindly be accepted. The apology is accepted and as the order is complied nothing remains in the C.A. Disposed of. Sd/-Sd/-(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson

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

Tribunal's orders

Date: 15.09.2020

O. A. No.380 of 2020 with M.A. No.213 of 2020

The Motor Land Continue

Amruta Karvande & Etc 2.Applicant
Versus
The State of Maharashtra & Ors.Respondents.

- 1. Heard Shri M.D. Lonkar with Shri Rupesh Geete and Ms. Saylee Dhayalkar, learned Advocate for the Applicant i/b. Parinam law Associates and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- Affidavit-in-Reply of Respondent No.2 is taken on record. Allowed to prosecute jointly.
- 3. Interim order dated 27.08.2020 is hereby modified as follows:
 - a) M.P.S.C. is directed that the two posts which are reserved for Orphan are to be kept on hold if at all the recommendation are sent to G.A.D.
 - b) M.P.S.C. is directed to communicate this order forthwith to G.A.D. so that no further steps will be taken by the concerned department for the two posts which are reserved for Orphan.
- 4. As issue in consideration of valid candidate is involved.
- 5. In respect of other process for this appointment and recommendation of other post interim stay is hereby vacated.
- 6. S.O. to 29.09.2020.

Sd/
(P.N. Dixit)

(Mridula R. Bhatkar, J.)

Vice-Chairman

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orde	ers
	Date: 15.09.2020	
	O. A. No.392 of	2020
	D.K. Jadhav & Ors.	Applic
	Versus	
	The State of Maharashtra & Ors.	Respon
	1. Heard Shri V.P. Sangvikar,	Johnnad Advac
	1. Heard Shri V.P. Sangvikar, the Applicant and Ms. S.P. Man	
	Presenting Officer for the Respond	
	Freselling Officer for the Respon	
	2. Learned C.P.O. to file Affid	lavit-in-Reply.
해. () 이 시를 보시 하는 경기 생생하는 () 이 이 등 것 같은 이 () [호텔: 전 시 기술 등 경쟁 ()] 기술을 보고 하는 경찰 () 수		
	3. Three weeks time is reque	sted. Time gran
경기 등 시간 경기 등 기업 기업 기업 등 기업 등 기업		
	4. S.O. to. 06,10,2020.	
하다는 하를 한 경험이 많은 사람들이 되었다. 그는 사람이 없었다. 일하다 하다 한 사람들이 생활하다 그는 사람들이 사람이 모르는데 다음		1 171.1
	Sd/-)	Sd/-

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(P.N. Dixit)

Vice-Chairman

(Mridula R. Bhatkar Chairperson

Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL **MUMBAI**

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

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Original Application No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date: 15.09.2020
	O.A. No.363 of 2020
	V.S. Chaudhary & OrsApplicant Versus
	The State of Maharashtra & OrsRespondents 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant, and Ms. S.P. Manchekar, learned Chie Presenting Officer for the Respondents.
	2. Last chance to give reply to the query of the court. If not filed we will proceed without reply.
	3. S.O. to 24.09.2020.
	Sd/- / Sd/
	(P.N. Dixit) (Mridula R. Bhatkar, J

NMN

Vice-Chairman

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

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FARAD CONTINUATION SHEET No.

fice Notes, Office Memoranda of Córam, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders		
	Date: 15.09.2020		
		L9 with O.A. No.626 of 2019	
에 들었는 기업을 하는 것이 되는 것 같아. 그는 지역 사람들은 전한 교회에 한 경기를 받는 것이다고 있다.			
물론 사람들은 물로 하라고 그렇게 하고	Y.V. Kesarkar	현대의 16명의 배스스 (1985년) 12명의 대한 기업이다. 일본 18명의 대한 기업 (1985년) 12명의 12명의 12명의 12명의 12명의 12명의 12명의 12명의	
	B.J. Ghayal	Applicant	
	Versus The State of Maharashtra		
	i ne state of ivianarashtra	& OrsRespondents	
	1. Heard Shri Bhusha	an A. Bandiwadekar, learne	
	Advocate for the Applica	ant and Ms. S.P. Manchekai	
	Advocate for the Applicant and Ms. S.P. Manchekar learned Chief Presenting Officer for the Respondents.		
	2. Reply is filed.		
	3. Learned Advocate	for the Applicant seeks fou	
	weeks time to file Rejoind		
	weeks time to me kejomu		
	4. Admit.		
	5. S.O. to 06.10.2020.		
		N Daul	
	Sd/-	/h Sd/- 200	
	(P.N. Dixít)	(Mridula R. Bhatkar, J.	
	Vice-Chairman	Chairperson	
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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		
	Date: 15.09.2020		
	O.A. No.1	L077 of 2019	
	S.S. Nikam & etc.2 Versus	Applicant	
	The State of Maharashtra	& OrsRespondents	
		lge, learned Advocate for th hougule, learned Presentin s.	
	2. Learned P.O. seeks	time to file reply.	
	3. Last chance.		
	4. S.O. to. 08.10.2020		
	Sd/-) Sd/- <u>></u>	
	(P.N. Dixit) Vice-Chairman	/ (Mridula R. Bhatkar, J Chairperson	
	NMN		
경영하다 화화 양대로 제공하다 하는 사회의 등이다.			

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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 Tribunal's orders directions and Registrar's orders Date: 15.09.2020 O.A. No.1076 of 2019Applicant T.R. Wagh & etc.2 Versus The State of Maharashtra & Ors.Respondents. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. Learned P.O. seeks time to file reply. 2. Last chance. 3. S.O. to. 08.10.2020. Sd/-Sd/-111 1 (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson NMN

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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		
	Date: 15.09.2020		
	O.A. No.1	078 of 2019	
	P.K. Jadhav & etc.2	Applicant	
	Versus		
	The State of Maharashtra 8	& OrsRespondents	
	1. Heard Shri R.M. Kol	ge, learned Advocate for th	
	1. Heard Shri R.M. Kol Applicant and Shri S.D. Dol	ge, learned Advocate for th e, learned Presenting Office	
	Heard Shri R.M. Kol Applicant and Shri S.D. Dol for the Respondents.	ge, learned Advocate for th e, learned Presenting Office	
	 Heard Shri R.M. Kol Applicant and Shri S.D. Dol for the Respondents. Affidavit-in-Reply is S.O. to. 08.10.2020. 	ge, learned Advocate for the e, learned Presenting Office filed today.	
	 Heard Shri R.M. Kol Applicant and Shri S.D. Dol for the Respondents. Affidavit-in-Reply is S.O. to. 08.10.2020. 	ge, learned Advocate for the e, learned Presenting Office filed today.	
	 Heard Shri R.M. Kol Applicant and Shri S.D. Dol for the Respondents. Affidavit-in-Reply is S.O. to. 08.10.2020. 	ge, learned Advocate for the e, learned Presenting Office filed today.	

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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		
	Date: 15.09.2020		
	O. A. No.	338 of 2020	
	K.B. Kakade Versus	Applicant	
	The State of Maharashtra 8	& OrsRespondents.	
		Mahajan, learned Advocate mt. K.S. Gaikwad, learned espondents.	
		ns that pursuant with earlier	
	order dated 10.09.2020 dec Applicant.	ision is communicated to the	
	3. S.O. to 24.09.2020.		
	Sd/-	M Sd/-	
	(P.Ň. Dixit) Vice-Chairman	(Mridula R. Bhatkar, J.) Chairperson	
	NMN		

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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

Date: 15.09.2020

O.A.No.905 of 2017 with M.A. No.698 of 2019

- Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. Perused the draft of proposed amendment and relief clause. By proposed amendment, the Applicant sought to challenge the order dated 14.03.2016 which was not communicated to the Applicant by the Government. By the said order, the Government has rejected the proposal of regularization of leave of the Applicant stating that the Applicant being in temporary service, Maharashtra Civil Services (Leave) Rules, 1981 are not applicable.
- 3. Present O.A. is filed for regularization and grant of pensionary benefits. It appears that the Applicant was temporarily appointed in the year 1978 and was in service for near about 30 years.
- 4. In view of above, the proposed amendment is necessary for just and appropriate decision of the O.A. Hence, amendment is allowed.
- 5. Learned Counsel for the Applicant is directed to carry out the amendment within three days and to serve the copy of the amended O.A. on the Respondents within two weeks.
- The matter is adjourned for filing reply to amendedO.A.
- 7. S.O. to 01.10.2020.

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Sd/-

(A.P. Kurhekar) [P.T.O. Member(J)

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

Date: 15.09.2020

O.A. No.323 of 2020

N.S. Patil

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No. 1&2 and Shri Abhinit, learned Counsel for the Respondent No.3.
- 2. Additional Affidavit is filed.
- 3. Learned Advocate for the Applicant submits that there are 3 prayer in the O.A. Accordingly the recommendation of Respondent No.3 is cancelled. Applicant is not pressing for relief No. 2 & 3 and as No.1 relief is granted. Learned counsel submits that Application may be disposed of.
- 4. Learned Advocate for the Respondent No. 3 is there. Learned counsel submits he has received the Affidavit of the Respondent 1 today however, there is no such communication on cancellation of his recommendation and therefore Respondent No.3 will take the necessary steps in the law.
- 5. Disposed of.

Sd/-

Sd/

(P.N. Dixit)

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(Mridula R. Bhatkar, J.)
Chairperson

Vice-Chairman

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

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FARAD CONTINUATION SHEET No.

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Tribunal's orders

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Date: 15.09.2020

O. A. No.393 of 2020

S.S. Zol

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri S.S. Zol, learned Applicant in Person is absent and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- Applicant in person is not present.
- 3. Learned C.P.O. pursuant to order dated 08.09.2020 submits that the interviews are going to be held on 15.09.2020 & 16.09.2020.
- 4. The Applicant in person is not present before the court and the matter is appearing since last two days. Hence the matter appearing before the caption of dismissal and when the matter was called out in the morning and even after the Division Bench last matter is over Applicant in person is not present.
- 5. In view of this submission made by C.P.O. on 08.09.2020 and 25.08.2020 the matter is dismissed.

Sd/-

Sd/-

(P.N. Dixit)5/

(Mridula R. Bhatkar, J.)

Vice-Chairman

Chairperson

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

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FARAD CONTINUATION SHEET No.

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Appearance, Tribunal's orders or
directions and Registrar's orders

Tribunal's orders

California Park States of the French

Date: 15.09,2020

O.A. No.968 of 2019

R.C. Pawar

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant informs that the request is only made to initiate the process of promotion as per the policy.
- 3. Learned C.P.O. to take decision to communicate on 01.10.2020.

Sd/-

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

(Mridula R. Bhatkar, J.) Chairperson

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

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

Tribunal's orders

Date: 15.09,2020

C.A. No.25 of 2020 in O.A. No.28 of 2018 with O.A. No. 938 of 2018

D.L. Awate Versus

.....Applicant

The State of Maharashtra & Ors.

....Respondents.

- 1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. Today the Affidavit-in-Reply is filed by the Respondent No.1. Learned C.P.O. submits that Writ Petition No. 4777/2020 dated 04.03.2020 is challenged the order passed by this Tribunal. Learned CPO submits the said Writ Petition was filed in month of March due to Covid-19 Pandemic the matter could not come before the Hon'ble High Court.
- 3. Learned Advocate for the Applicant submits that the order of reinstatement of the Applicant P.S.I. who was dismissed from the service was granted on 16.11.2019. However, the said order was modified after Application moved by the Applicant and accordingly modified order was passed on 28.01.2020.
- 4. Learned C.P.O. submits that at the time of modification the said order which was passed by the Special Constituted Bench of Shri Shree Bhagwan (Vice-Chairman) and Shri A.P. Kurhekar Member (J), two weeks time was granted for implementation of the order. Thereafter the Government filed M.A. No.90/2020 on 07.02.2020 i.e. before the expiry of two weeks extension of time for the implementation of the order. However, the Special Constituted Bench dealing with this matter was not available at that time as Shri Shree Bhagwan (Vice-Chairman) is from Nagpur and therefore he could not come to Mumbai because of

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

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Tribunal's orders

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Covid-19 Pandemic and thereafter Writ Petition was filed on 04.03.2020. The matter could not be taken up on the board before the Hon'ble High Court as immediately thereafter lockdown was announced. However, the Government is trying up the circulation of the Writ Petition at the earliest.

- 5. As there is no stay by the Hon'ble High Court on order of this Tribunal hence, Issue notice in the contempt to the contemnor Respondent No.1 to anable him to appear and file the Reply.
- 6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. The Contemnor Respondent No.1 to take note that order of the Tribunal is still awaited for implementation without stay.

11. S.O. to 15.10.2020.

Sd/-

(卢.N. Địxit) Vice-Chairman Sd/- 2/ 15/91 2020 (Mridula R. Bhatkar, J

(Mridula R. Bhatkar, J.) Chairperson

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Date: 15.09.2020

O. A. No.225 of 2020

- 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
- 2. Issue notice before admission returnable on 13.10.2020.
- 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 13.10.2020.

Sd/-

(A.P. Kurhekar) Member(J)

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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

Date: 15.09.2020

O.A.Nos.175/2020 with O.A.176/2020 with M.A.119/2020 with O.A.194/2020 with M.A.124/2020 with O.A.195/2020 with M.A.125/2020

- 1. All these matters though filed in the Tribunal long ago those are lying unattended due to Covid-19 Pandemic situation and lockdown.
- 2. As all such matters were required to be listed, the direction were given to the direction out such unattended matters and be placed before the Tribunal. It is on this background, all these matters are listed on today's board.
- 3. However, the Applicants and their Counsels are absent. Shri A. J. Chougule, learned P.O. is present.
- 4. In view of above, it is desirable to give one opportunity to the Applicants for their appearance and for further orders.
- 5. All such matters be placed before the Tribunal for admission on 29.09.2020.

Sd/-

(A.P. Kurhekar) Member(J)

vsm

Date: 15.09.2020

O.A.No.162 of 2020

- 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
- 2. This O. A. was filed on 24.02.2020 but it was lying unattended in the office due to Covid-19 Pandemic situation and lockdown.
- 3. Now, all such matters which are not listed before the Tribunal are being listed in pursuance of the directions given by the Tribunal.
- 4. Issue notice before admission returnable on 13.10.2020.
- 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
- 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 O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 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.
- 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.
- 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.

10. S.O. to 13.10.2020.

Sd/-

(A.P. Kurhekar) Member(J)

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

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Date: 15.09.2020

O.A.No.1058/16, 471/17, 472/17, 473/17, 474/17, 475/17 with 538/17, 540/17, 541/17, 542/17, with 544/2017 with 1154/17, 1155/17, 1156/17, 1157/17 with 1158/17

- 1. Heard Shri C.T. Chandratre, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. Today, learned P.O. for the Respondents has filed.

 Affidavit-in-Reply on behalf of the Respondent No.1 —

 Government. It is taken on record.
- 3. Adjourned for hearing (Part-Heard).
- 4. S.O. to 24.09.2020.

Sd/-

(A.P. Kurhekar) Member(J)

vsm

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

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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
	Date: 15.09.2020
	M.A. No.140 of 2020 in O.A.No.208 of 2020
	1. Heard Shri M. D. Lonkar, learned Counsel for the
	Applicant and Shri A. J. Chougule, learned Presenting Office for the Respondents.
	2. On request of learned P.O., two weeks time is granted
	for filing Affidavit-in-Reply to M.A.
	3. S.O. to 29.09.2020.
사는 시청합시간 사용 그는 경우를 하는 것이다. 소설을 기를 하는 것이 기를 보고 있는 것을 것이다.	Sd/-
en de la companya de La companya de la co	(A.P. Kurhekar)

(A.P. Kurhekar) Member(J)

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