

**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.144/2020</u></p> <p><b>Shri J.B. Vankoti</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Counsel for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A, the Applicant has challenged transfer order dated 11.11.2019 whereby he was transferred from the post of Police Inspector (LCB), Palghar to Police Inspector, Control Room, Palghar. Interim relief was declined and matter is fixed today for hearing at the stage of admission.</p> <p>3. Today, the learned P.O. has tendered order issued by Superintendent of Police, Palghar dated 09.10.2020 which shows that the Applicant has been relieved for joining as P.I. on newly created establishment of Mira-Bhayandar, Vasai-Virar Police Commissionerate. Accordingly, he was relieved on 09.10.2020. There is also acknowledgement of the Applicant on the relieving order. It is taken on record and marked by letter 'X' for identification.</p> <p>4. In view of subsequent transfer, prima-facie, cause of action challenging transfer order dated 11.11.2019 does not survive.</p> <p>5. However, Shri B.A. Bandiwadekar, learned Advocate for Applicant requested for one week time to take instructions from the Applicant in the matter.</p> <p>6. Adjourned to 22<sup>nd</sup> October, 2020.</p> <p align="right">Sd/- vw (A.P. Kurhekar) Member-J 15.10.2020</p> <p>(skw)</p>


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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>15.10.2020</u></b></p> <p align="center"><b><u>O.A.No 462/2020</u></b></p> <p>Shri D.R Nalwad &amp; Others ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.</li> <li>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>3. Issue notice returnable on 3.12.2020</li> <li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>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.</li> <li>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.</li> <li>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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</li> <li>8. S.O to 3.12.2020.</li> </ol> <p align="center">Sd/- _____ Sd/- </p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_ Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>O.A.No.1205 of 2019</p> <p>S. R. Thale .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit in Sur-Rejoinder on behalf of the Respondent. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 08.12.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No.

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>O.A.No.202/2020</u></b></p> <p><b>Shri S.B. Gavit</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The present O.A. was filed on 06.03.2020 and notices were issued by order dated 11.03.2020. However, the Respondents failed to file reply despite grant of enough time by the Tribunal. Ultimately, by order dated 28.07.2020, the matter was kept for hearing at the stage of admission without reply. Having noticed that the application made by the Applicant on 24.04.2009 for appointment on compassionate ground is not yet decided though having regard to the object of scheme, it ought to have been decided without loss of time.</p> <p>3. The father of the Applicant died on 24.04.2009 in harness. He was Watchman (Class-IV). The Applicant being the son of deceased employee made an application for appointment on compassionate ground on the post of Driver on 30.06.2009 which was well within limitation in terms of scheme for appointment given on compassionate ground. When Applicant made an application, he had having valid and existing Driving License of Light Motor Vehicle.</p> <p>4. However, no final decision was taken on the application made by the Applicant and ultimately, he approached this Tribunal.</p> <p>5. Indeed, the Respondent No.1 forwarded a proposal to Respondent No.2 vide letter dated 02.01.2020 (Page No.36 of P.B.) stating that on the date of making application, the Applicant was having valid Driving License and sought necessary guidance from Respondent No.2. It appears that reference was made because of the fact that Driving License of the Applicant was valid upto 29.08.2018 only. However, the learned Advocate for the Applicant has pointed out that the Applicant has renewed the</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Driving License and it is valid till 29.08.2021 as seen from Page No.38 of P.B.</p> <p>6. It is further pointed out by the learned Advocate for the Applicant that one person viz. Manoj Pengadwar who applied on 30.06.2009 along with the Applicant has been already appointed on the post of Driver, as seen from Page No.31 of P.B.</p> <p>7. All that the learned P.O. submits that despite communication to the Respondents, he has not received instructions for the preparation of reply. This shows total insensitivity and inaction on the part of Respondents.</p> <p>8. In view of above, there seems no hurdle for grant of appointment to the Applicant on compassionate ground, if he fulfills other eligibility criteria.</p> <p>9. In the facts and circumstances of the matter, it would be appropriate to keep the O.A. pending with direction to Respondent No.2 to consider the proposal dated 02.01.2020 forwarded by Respondent No.1 and shall pass appropriate order about the entitlement of the Applicant on compassionate ground in accordance to Rules and G.Rs.</p> <p>10. In view of above, the Respondent No.2 is directed to pass appropriate order within two weeks from today without fail, as the Applicant is deprived of the benefit of scheme for appointment on compassionate ground for the period of about 10 years due to sheer inaction and lethargy on the part of Respondents.</p> <p>11. The learned P.O. is directed to communicate this order to Respondent No.2 immediately so that appropriate order is passed by competent authority within two weeks as directed earlier.</p> <p>12. Adjourned to 29<sup>th</sup> October, 2020.</p> <p style="text-align: right;">Sd/-    (A.P. Kurhekar)  Member-J  15.10.2020</p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.No.589/2017

Shri V.Y. Khandebharad ... Applicant

Vs.

The State of Mah. & Ors. ... Respondents

1. The Applicant and his Advocate are absent. The learned C.P.O. is present.

2. In the present O.A, the challenge is to 10% permanent deduction of pension.

3. The learned CPO has pointed out that in view of punishment, the matter pertains to Division Bench.

4. Indeed, in similar situation in case of punishment of reduction in pension, this Tribunal in O.A.No.64/2018 had directed Registrar to place the matter before Hon'ble Chairperson for placing the same before appropriate bench. The perusal of submission of Registrar in O.A.64 reveals that the said matter was ordered to be placed before the Division Bench.

5. In view of above, this O.A. also needs to be placed before the Division Bench.

6. Registrar is hereby directed to list this O.A. before Division Bench.

Sd/-

(A.P. Kurhekar)

Member-J

15.10.2020

(skw)

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(Advocate .....)

*versus*

'The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>O.A.No.1189 of 2019</p> <p>D. J. Ambilwade ....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard the Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned P.O. has filed reply on behalf of the Respondents. It is taken on record.</li> <li>3. The matter is adjourned for hearing at the stage of admission with liberty to file rejoinder, if any.</li> <li>4. S.O. to 29.10.2020.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>O. A. No. 09 of 2020</p> <p>S. L. Gholap .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Vaishali Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Chief Presenting Officer for the Respondents.</li> <li>2. In the present matter, notice was issued to respondents on 07.01.2020 and since then the matter was adjourned from time to time for filing reply. However, despite enough chances, no reply is filed.</li> <li>3. On previous two dates, last chance was granted to file reply but in vain. Thus, the Respondents appear not interested in filing reply and prolonging the matter.</li> <li>4. In view of above, O.A. be kept for hearing at the stage of admission without reply.</li> <li>5. S.O. to 03.11.2020.</li> </ol> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT \_\_\_\_\_  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>O. A. No.79 of 2020</p> <p>Dr. M. M. Kesarkhane .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicants and their Counsel are absent. Heard Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents submits that reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. The matter be kept for hearing at the stage of admission.</p> <p>4. S.O. to 05.11.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

DISTRICT \_\_\_\_\_

..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 15.10.2020</b></p> <p><b>O.A.No.273 of 2019</b></p> <p><b>S. A. Patil</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri R.M, Kolge, learned Counsel for the Applicant who is appearing in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Shri R.M. Kolge, learned Counsel for the Applicant submits that Applicant has asked him to seek adjournment as he is unable to come from Satara.</li> <li>3. The matter is adjourned for final hearing. Shri R.M. Kolge, learned Counsel should intimate next date to the Applicant.</li> <li>4. S.O. to 05.11.2020.</li> </ol> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</p>

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	<p>Date : 15.10.2020</p> <p>O. A. No.1183 of 2019</p> <p>S. H. More .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Heard Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to Respondents for filing reply but the same is not filed.</p> <p>3. However, on request of learned P.O., one week's time is granted as a most last chance for filing reply.</p> <p>4. S.O. to 22.10.2020.</p> <p>Sd/-</p> <p>(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>O.A.No.1013 of 2019</p> <p>S. B. Metkar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On last date, the matter was adjourned for filing rejoinder of the Applicant but the same is not filed.</p> <p>3. The matter is Part-Heard. Hence, I am not inclined to grant time to file rejoinder. Matter be kept for hearing as Part-Heard.</p> <p>4. S.O. to 29.10.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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Original Application No.

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..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>O. A. No.1132 of 2019</p> <p>K. S. Ghongade .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicants and their Counsel are absent. Heard Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.1 to 3 with request to take it on record as the matter is already proceeded for hearing without reply.</p> <p>3. Having regard to the matter in issue in the interest of justice, the Respondents are allowed to file reply. It is taken on record.</p> <p>4. The matter is adjourned for hearing at the stage of admission with liberty to the Applicant to file Rejoinder, if any.</p> <p>5. S.O. to 05.11.2020.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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of 20

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..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>O. A. No.1046 of 2019</p> <p>S. P. Bhave .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. The Applicants and their Counsel are absent. Heard Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The matter be kept for final hearing.</p> <p>3. S.O. to 24.11.2020.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

(Advocate .....

*versus*

The State of Maharashtra and others

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(Presenting Officer.....)

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

Tribunal's orders

Date : 15.10.2020

O. A. No.159 of 2019

S. V. Sathe

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. The Applicant and his Counsel both are absent. Heard Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
2. The matter is kept for hearing at the stage of hearing without reply since the Respondents have failed to file reply within time granted by this Tribunal.
3. Smt. K.S. Gaikad, learned P.O. however submits that reply is ready and seeks permission to file reply on behalf of the Respondent NO.2.
4. Allowed to file reply in the interest of justice. It be taken on record.
5. The matter is adjourned for hearing at the stage of admission.
6. S.O. to 26.11.2020.

Sd/-

(A.P. Kurhekar)  
Member(J)

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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(Advocate .....

*versus*

The State of Maharashtra and others

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p>R.A. No.07 of 2020 in O.A.No.805 of 2019</p> <p>V. B. Kamble .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. The submission advanced by Shri M.D. Lonkar, learned Counsel for the Applicant is heard.</li> <li>3. However, learned C.P.O. for the Respondents seeks short time to take instructions from the department about the point raised by learned Counsel for the Applicant in Review Application.</li> <li>4. The matter is adjourned to 20.10.2020 for hearing of learned C.P.O.</li> <li>5. S.O. to 20.10.2020.</li> </ol> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 15.10.2020
	<p align="center"><b>O.A.No.203 of 2018</b></p> <p>S. K. Devkar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. After hearing of learned Counsel for the Applicant for some time, it has been brought to his notice that he has not challenged the communication of rejection of claim for appointment of compassionate ground which has been taken by the authorities vide letter dated 22.06.2018 and 13.08.2018 (Page Nos.61 &amp; 62 of PB).</p> <p>3. Initially in O.A., only declaration is asked for appointment of compassionate ground, since there was no communication of the order to the Applicant.</p> <p>4. However, now it is transpired that there is already communication of rejection of the claim. This being the position, the Applicant is required to challenge the communication.</p> <p>5. Therefore, on request of learned Counsel for the Applicant, one week's time is granted for appropriate amendment and to challenge the communication in question.</p> <p>6. S.O. to 22.10.2020.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J) [P.T.O.]</p> <p>vsm</p>

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	<p>Date : 15.10.2020</p> <p>M. A. No.223 of 2020 in R.A.09 of 2020 in O.A.536 of 2018 with O.A.No.537 of 2018 with O.A.No.538 of 2018</p> <p>The State of Maharashtra &amp; Ors. ....Applicants (Ori. Respondents)</p> <p>Versus</p> <p>U. G. Salgaonkar &amp; Ors. ...Respondents (Ori. Applicants)</p> <p>1. Heard Ms S. P. Manchekar, learned Chief Presenting Officer for the Applicants (Ori. Respondents) and Shri U. V. Bhosale, learned Counsel for the Respondents (Ori. Applicants).</p> <p>2. Shri U. V. Bhosale, learned Counsel for the Respondents (Ori. Applicants) pointed out that Ori. Applicant in O.A.No.536/2018 namely U. G. Salgaonkar has expired during pendency of this proceeding and his heirs are required to be brought on record by the State.</p> <p>3. Learned C.P.O. for the Applicants (Ori. Respondents) submits that she would take necessary steps to substitute the legal representatives of the deceased on record.</p> <p>4. Two weeks time is granted to learned C.P.O. to bring legal heirs of the deceased on record.</p> <p>5. S.O. to 29.10.2020.</p> <p align="right">Sd/- W (A.P. Kurhekar) Member(J) [P.T.O.]</p> <p>vsm</p>

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 15.10.2020
	<p align="center"><b>M.A. No.79 of 2020 in O.A.No.394 of 2019</b></p> <p><b>C. H. Gaikwad</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Vaishali Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. This Misc. Application is filed to bring legal heir of the deceased Applicant on record.</li> <li>3. O.A. No.394/2019 has been filed by the Applicant Smt Houshi Gaikwad for absorption. She died on 01.08.2019 leaving behind husband as her heir.</li> <li>4. M.A. is filed by husband of the deceased Applicant to bring his name on record and <sup>no 2</sup> condoning delay.</li> <li>5. The Respondents have not filed reply to M.A.</li> <li>6. Considering relief claimed for Pay &amp; Allowances and absorption, in the interest of justice M.A. is allowed. Applicant's name be substituted in place of deceased in O.A.394/2019.</li> <li>7. Amendment be carried out within three days.</li> <li>8. Adjourned for final hearing on 03.11.2020.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

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
	<p align="center"><u>O.A.No.227/2019</u></p> <p>Shri V.A. Phadke &amp; Ors. ... Applicants Vs. The State of Mah. &amp; Ors. ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Mrs. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. has been filed by 85 Police Constables/Police Drivers raising grievance of disparity in pay scale. According to Applicants, though they as well as their counterparts were appointed by common order dated 18.06.2005, there is disparity in pay scale as their counterparts are getting higher pay scale. The Applicants pay scale is Rs.10140 + 2400 GP whereas their counterparts were getting pay scale of Rs.10520 + 2400 GP. The Applicants have, therefore, made various representations to the Police Commissioner for removal of disparity in pay scale, but no decision has been taken, and therefore, they filed the present O.A.</p> <p>3. The perusal of O.A. reveals that Additional Commissioner of Police, Motor Transport, Mumbai has forwarded proposal dated 06.12.2016 (Page No.329 of P.B.) to the Government.</p> <p>4. The Police Commissioner, Mumbai had also forwarded the proposals dated 17.05.2017 to the Government vide Page No.331 of P.B. and dated 21.05.2018 to the Government (Page No.333 of P.B. for removal of disparity in pay scale. However, no final decision is taken by the Government.</p> <p>5. While forwarding the proposal, the Commissioner of Police observed that because of disparity in pay scale, there is unrest and it needs to be attended from the point of parity and consistency.</p> <p>6. The issue raised in the present O.A. will have larger implications, as it is not limited to the Applicants who are party to this O.A, but it will also affect other Police Personnel, who were similarly situated. This being the position, in the first place, it is for the Government to take</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>appropriate decision which is not taken till date despite the representations made by the Applicants as well as proposals forwarded by Commissioner of Police, Mumbai.</p> <p>7. On the above background, the learned Advocate for the Applicant as well as learned P.O. fairly submitted that, as the final decision is not yet taken by the Government, the O.A. may be disposed of with suitable direction.</p> <p>8. I, too, <sup>think</sup> <del>point</del> it appropriate that it being the issue of disparity in pay scale, it needs to be first finally decided by the Government. However, the perusal of record reveals that there is only communication inter-se in between various departments including Finance Department, but no decision is taken by Home Department.</p> <p>9. In view of above, the O.A. is disposed of with directions to Respondent No.1 to take decision about the grievances raised by the Applicants as reflected in the proposal forwarded by Police Commissioner, Mumbai to the Government in accordance to Rules within three months from today and the decision shall be communicated to the Applicants within two weeks thereafter.</p> <p>10. Needless to mention, if Applicants felt aggrieved by the decision of Government, they can avail judicial remedy in accordance to law.</p> <p>11. No order as to costs.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member-J 15.10.2020</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

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DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 15.10.2020</p> <p align="center">O.A.Nos. 167, 168 &amp; 169 of 2020 with O.A.Nos.170 &amp; 171 of 2020</p> <p>Dr. N. N. Inamdar &amp; Ors. ....Applicants</p> <p><b>Versus</b></p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>The Applicants and their Counsel both are absent. Heard Shri A. J. Chougule holding for Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</li> <li>These Ori. Applications were filed on 26.02.2020 but those were not listed before the Tribunal due to Covid-19 pandemic situation and lockdown.</li> <li>Shri J. S. Deshmukh, learned Counsel for the Applicants who is resident of Aurangabad had sent a leave note stating that due to Covid-19 situation, he is unable to remain present in the Tribunal and requested to adjourn the matter.</li> <li>Instead of simply adjourn<sup>ing</sup> the matter, it would be appropriate to issue notices to the Respondents so that in the meantime, the matter can get ready for hearing.</li> <li>Incidentally, Shri A.D. Sugdare, learned Counsel from Aurangabad is present before this Tribunal. He states that he would inform learned Counsel Shri J.S. Deshmukh for taking necessary steps for issuance of notice.</li> </ol>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Issue notice before admission returnable on 19.11.2020.</p> <p>7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>8. 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.</p> <p>9. 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>10. 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>11. 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>12. S.O. to 19.11.2020</p> <p style="text-align: right;">Sd/- ✓ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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><b>Date: 15.10.2020</b></p> <p><b>O. A. No. 578 of 2020 with M.A. No.251 of 2020 with O. A. No. 579 of 2020 with M.A. No.252 of 2020 with O. A. No. 580 of 2020 with M.A. No.253 of 2020 &amp; M.A. No.254 of 2020 with</b></p> <p><b>V.R. Kanthale &amp; Ors. K.I. Chole &amp; Ors. N.A. Khadekar &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri S.D. Munde, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. at the outset pointed out that the Applicants are from Marthwada region and therefore all these matters are to be entertained before Maharashtra Administrative Tribunal, Aurangabad Bench.</p> <p>3. Learned Advocate for the Applicants submits that there is no Division Bench available at Aurangabad bench. Secondly in view of the circular dated 21.05.2020 issued by Maharashtra Administrative Tribunal. Thirdly the matters of the similar issue are filed in Mumbai, therefore, with a view to avoid different views on the issue of the benches on the same issue the matters are filed at Maharashtra Administrative Tribunal Mumbai before the Principal bench.</p> <p>4. Considered submissions of the learned Advocate and the C.P.O. on territorial jurisdiction of place of filing matters. The circular dated 21.05.2020 was issued as transport and movements of the people were completely restricted on account of lockdown in COVID-19 pandemic.</p>



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

Tribunal's orders

5. A special facility was provided for filing the matters. This circular was issued to enable the litigants during the lockdown to file matters within time to avoid delay and within limitation.

6. Today, itself the said circular is withdrawn.

7. As per rules 6 of the Maharashtra Administrative Tribunal, Rules of 1988 the place of filing the application is normally where the Applicant is posted for the time being or the Respondent resides or where the cause of action has arisen.

8. All the order/circulars are issued through G.A.D., Mantralaya, and therefore the cause of action of the matters cannot be said to have taken place in Mumbai. The matters are to be filed at the respective bench at Nagpur/Aurangabad as contemplated under 6 of the Rules.

9. It is true that the Division Bench at present is not available in Aurangabad, however, these matters can be filed at Aurangabad and the Vice-Chairman can pass urgent orders if required. Under circumstances these matters cannot be entertained at principal bench.

10. Learned Advocate for the Applicants submits that if these matters are given to him, the matter can be re-submitted to Aurangabad. He submits that he wants to withdraw these Applications with liberty to carry these matters and file same applications at Aurangabad.

11. Allowed to withdraw all three applications with a liberty to carry the said Applications to file the same before Aurangabad.

12. Registrar is directed to hand over all the three matters in the sealed cover after taking acknowledgment.

Sd/-

(P.N. Dixit)  
Vice-Chairman

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson

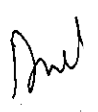
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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M.A./R.A./C.A. No. \_\_\_\_\_ of 20 \_\_\_\_\_

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 15.10.2020</b></p> <p align="center"><b>M.A. No.27 of 2020 in O. A. No. 13 of 2020</b></p> <p><b>R.S. Pawar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri S.S.Dere, learned Advocate for the Applicant, Shri A.A. Desai, Sr. Counsel is absent, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents 1 &amp; 2 and Shri C.T. Chandratre, learned Advocate for the Respondent No.3 went return.</p> <p>2. In this matter the hearing of the application for condonation of delay is peremptorily fixed at 10.00 a.m. on 22.10.2020.</p> <p>3. All the concerned counsels are directed to remain present for this hearing before Division Bench in absence of any counsel matter will be proceeded on 22.10.2020 at 10.00 a.m.</p> <p>4. S.O. 22.10.2020 at 10.00 a.m.</p> <p align="center"> Sd/- _____  (P.N. Dixit)  Vice-Chairman </p> <p align="center"> Sd/-   (Mridula R. Bhatkar, J.)  Chairperson </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>15.10.2020</u></b></p> <p align="center"><b><u>M.A 193/2020 in O.A.No 690/2018</u></b></p> <p>Shri P.S Vetal &amp; 211 ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Kranti L.C, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Matter adjourned to 19.11.2020 at the request of learned P.O. to file reply. Copy of the reply is to be given to the learned counsel for the applicant at least a week in advance.</p> <p>3. The connected O.As 690/2018, 947/2018, 1087/2018, 769/2019, 1052/2019, 1053/2019 &amp; 1054/2019 having the same issues are clubbed together.</p> <p>4. S.O to 19.11.2020.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Aln</p>

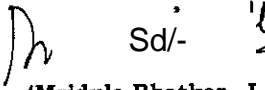
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><b><u>15.10.2020</u></b></p> <p><b><u>O.A.No 292/2019</u></b></p> <p>Shri S.A Sawant ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Shri S.S Dere, learned advocate for the applicant and Ms Swati Manchekar , learned C.P.O for the Respondents.</li><li>2. Affidavit in reply is filed.</li><li>3. Admit. Place for final hearing on 7.1.2021.</li></ol> <p>Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>



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	<p><b><u>15.10.2020</u></b></p> <p><b><u>O.A.No 698 &amp; 699/2019</u></b></p> <p>Dr S.J Mane Dr A.R Jadhav ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Shri J.S Deshmukh, learned advocate for the applicants has filed leave note. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that in these two matters the Hon. High Court, Aurangabad Bench has given a decision that the age of retirement cannot be increased by issuing G.R, when the age is specifically mentioned in the statute. She wants to bring copy of the judgment on record.</p> <p>3. S.O to 29.10.2020</p> <p>Sd/-  Sd/- </p> <p>(P.N/Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

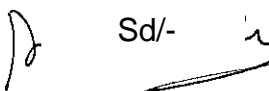
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	<p align="center"><b><u>15.10.2020</u></b></p> <p align="center"><b><u>O.A.No 363/2020</u></b></p> <p>Shri V.S Chaudhary &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicants and M s Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that today she has received letter from the Public Health Department dated 14.10.2020 stating that they are seeking information from all Districts about vacancies of post of Health Workers. She submits that since 2016 the vacancies of Health Workers (for Malaria spray) are not filled in.</p> <p>3. Learned counsel for the applicants submits that 313 posts of Health Workers are lying vacant.</p> <p>4. Learned C.P.O seeks time to inform as to when Government is in a position to take decision about filling of the vacancies</p> <p>5. S.O 29.10.2020.</p> <p align="center">Sd/-</p> <p align="center">(P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p align="left">Akn</p>

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	<p><b><u>15.10.2020</u></b></p> <p><b><u>O.A.No 558/2020</u></b></p> <p>Shri P.R Thakur ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</li><li>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li><li>3. Issue notice returnable 5.11.2020</li><li>4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li><li>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.</li><li>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.</li><li>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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</li><li>8. S.O to 5.11.2020.</li></ol> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>



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	<p><b><u>15.10.2020</u></b></p> <p><b><u>M.A 212/2020 in O.A 462/2020</u></b></p> <p>Shri D.R Nalwad &amp; Others ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Application to sue jointly allowed subject to payment of court fees, if not already paid.</p> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>




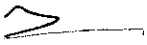
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	<p><b><u>15.10.2020</u></b></p> <p><b><u>M.A 212/2020 in O.A 462/2020</u></b></p> <p>Shri D.R Nalwad &amp; Others ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Application to sue jointly allowed subject to payment of court fees, if not already paid.</p> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Alen</p>

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15.10.2020

O.A.No 336/2019

Dr S.S Jadhav ... Applicant  
 Vs.  
 The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Admit. Place for final hearing for on 3.12.2020.

Sd/-

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

Aln

Sd/-

(Mridula Bhatkar, J.)  
Chairperson


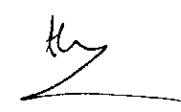
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><b><u>15.10.2020</u></b></p> <p><b><u>O.A.No 1133/2018</u></b></p> <p>Shri B.A Kale &amp; Others ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None for the applicant. Heard Ms Swati Manchekar, learned P.O for the Respondents.</p> <p>2. Learned C.P.O submits that proposal will be kept before the Cabinet today and thereafter it will be placed before His Excellency, The Governor.</p> <p>3. S.O 22.10.2020.</p> <p>Sd/-  Sd/- </p> <p>(P.N Dixit) Vice-Chairman (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Aln</p>



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	<p align="center"><b><u>15.10.2020</u></b></p> <p><b>O.A.No 464/2020 with M.A 214/2020 in O.A 99/2020</b></p> <p>Shri K. Suryakrishnamurty ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p align="center"><b>SPEAKING TO THE MINUTES</b></p> <p>1. Heard Shri Vagish Mishra i/b Troy Legal Advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents 1 &amp; 2 and Mrs Punam Mahajan, learned advocate for the Respondents no 4 to 10.</p> <p>2. Speaking to the minutes is moved at the instance of learned C.P.O. Learned C.P.O submits that notices are issued to the Respondents i.e. Original Applicant.</p> <p>3. The correction in order dated 6.10.2020 as requested by learned C.P.O are not material but typographical. Hence in para 8 of the order is corrected as under:-</p> <p>“However, the posts cannot be kept vacant and so the promotions are required to be given to the officers waiting in que and to meet the needs of the time, ad hoc seniority list as well as final draft seniority list <del>was</del> prepared from time to time. The last such final draft seniority list was prepared on 3.3.2018. He submits that till 31.3.2020 such list will be prepared.”</p> <p align="center">Sd/-  Sd/- </p> <p align="center"><b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></p> <p align="center"><b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p align="left">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

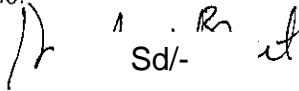
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.10.2020</u></b></p> <p><b>O.A.No.283 of 2020</b></p> <p>S.B. Kodgire ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. submits that in this matter she has been instructed that the Department has taken decision to reinstate the applicant. However the order of his posting is yet to be issued. Learned C.P.O. on instructions submits that the order of posting of the applicant will be issued till 31.10.2020.</p> <p>3. In the O.A. the suspension order on the ground of competency is challenged. Learned C.P.O. is directed to file reply by next date.</p> <p>4. S.O. to 17.12.2020.</p> <p style="text-align: right;"> Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>15.10.2020</b></p> <p><b>O.A.No.569 of 2020</b></p> <p>S.B. Khade ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li><li>2. The Applicant, Junior Administrative officer, (Group C), challenges in the transfer order dated 12.08.2020 from Pune to Nashik. It is a mid-tenure transfer. There was no Civil Services Board and approval of the competent authority is not taken.</li><li>3. The learned Counsel for the Applicant points out the letter dated 25.08.2020 written by Dr. R.D. Tribhuvan, Respondent No.4, who is the immediate authority for the applicant, submits that the allegations made against the applicant are basely. The learned Counsel further submits that at his place i.e. at Pune, till today nobody has joined.</li><li>4. Learned P.O. for the Respondents wants time to file reply.</li><li>5. Learned P.O. is granted three weeks time for filing reply.</li><li>6. In view of the submissions made by learned Counsel for the Applicant and considering the letter dated 25.08.2020, and as no person has joined in his post at Pune the said order of transfer of applicant is hereby stayed by three weeks.</li><li>7. S.O. to 05.11.2020.</li></ol> <p style="text-align: right;">Sd/- </p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

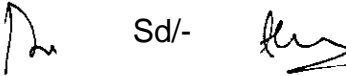
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.10.2020</u></b></p> <p><b>O.A.No.568 of 2020</b></p> <p>S.V. Pawar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant, Assistant Police Commissioner, Special Branch, challenges order dated 09.10.2020. The applicant was earlier transferred from Buldhana to Pune by order dated 30.09.2020.</p> <p>3. Learned Counsel for the Applicant submits that Respondent no.4 i.e. the Assistant Commissioner of Police, Pune City is served.</p> <p>3. Learned P.O. is directed to produce record on next date. Matter is fixed on 20.10.2020.</p> <p style="text-align: right;"> Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram,  
Appearance, Tribunal's orders or  
directions and Registrar's orders

Tribunal's orders

**15.10.2020**

**O.A.No.567 of 2020**

S.P. Jadhav ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. The Applicant, Assistant Commissioner of Police, challenges the mid-tenure transfer order 30.09.2020 from Wakad Division Pimpri Chinchawad to Sub-Divisional Police Officer, at Akkalkua Dist. Nandurbar. The applicant was transferred to Wakad Division Pimpri Chinchawad earlier from Pune only by order dated 30.05.2020.

3. The learned Counsel submits that the Applicant is retiring on 30.11.2021. The learned Counsel submits that no exceptional reasons are shown under Section 22(N) of Maharashtra Police Act 1951.

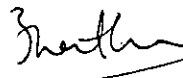
4. At the request of learned P.O. for the Respondents adjourned to 20.10.2020.

*Mridula*

Sd/-

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



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.10.2020</u></b></p> <p style="text-align: center;"><b>O.A.No.518 of 2020</b></p> <p>A.V. Bhise ... Applicant Vs. The State of Maharashtra &amp; Ors. ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant who is working as Police Naik, was not due for transfer has challenged the mid-tenure transfer order dated 26.09.2020 whereby transferring him from Chaturshrungi Police Station to Police Headquarter.</p> <p>3. The learned P.O. wants time to file affidavit-in-reply. The learned P.O. points out the reason of which was put up by Deputy Commissioner of Police, Zone IV on 10.03.2020 to Commissioner of Police, Pune. Thereafter, the Establishment Board on 28.09.2020 has taken decision of transferring the applicant and another person as mentioned in the letter of Deputy Commissioner of Police.</p> <p>4. On perusal of the letter of Deputy Commissioner of Police it appears that the reasons for mid-tenure transfer falls within 22(N) of Maharashtra Police Act 1951. However, in the minutes there is some irregularity which can be rectified by adopting the proper procedure though the matter is pending.</p> <p>5. I am informed by learned P.O. that another person along with applicant though are transferred from Chaturshrungi Police Station to Police Headquarter, they will not be working under the one roof as there are various postings given at different places by the Pune Police Commissionerate.</p> <p>6. S.O. to 05.11.2020.</p> <p style="text-align: right;">) Sd/- </p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>

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

Tribunal's orders

**15.10.2020**

**O.A.No.509 of 2020**

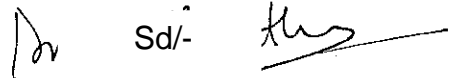
M.A. Damale ... Appiicant  
Vs.  
The State of Maharashtra & Ors. ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The applicant prays that his name is to be considered for appointment on Compassionate Ground in Group-C post as he holds the requisite qualification for Group C i.e. 12<sup>th</sup> pass with typing certificate. The applicant earlier in O.A.645 of 2017 has challenged the decision of the Respondents dated 27.04.2016 rejecting his name for Compassionate Appointment. The Single Bench of the Tribunal by order dated 02.04.2019 had directed the Respondents to consider the application of the applicant for appointment on Compassionate Ground and his name is to be included in the waiting list subject to the fulfillment of eligible criteria in accordance to Rules. Thereafter, the respondent by letter dated 03.03.2020 held him eligible for the appointment on Compassionate Ground in Group D. Hence, the challenge.

3. Learned P.O. for the Respondents submits that she will file the reply after instructions especially on the point eligibility of the applicant on Group-D post.

4. S.O. to 17.12.2020.

 Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**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>15.10.2020</u></p> <p align="center"><u>O.A.No 482/2020</u></p> <p>Shri D.K Shinde/Vithore ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri S.B Gaikwad, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant seeks relief against the order of dismissal issued in April, 2019 and the order of the Appellate Authority issued in November, 2019.</p> <p>3. The office objections if any, are to be removed and court fees to be paid if not already paid.</p> <p>4. Issue notice returnable on 22.12.2020.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need 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 Q.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>9. S.O to 22.12.2020.</p> <p>Sd/- _____ (P.N Dixit) Vice-Chairman (A)</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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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15.10.2020

O.A.No 559/2020

Shri Suresh T. Buye ... Applicant  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.
2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice returnable on 5.11.2020.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.
5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.
8. S.O to 5.11.2020.

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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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>15.10.2020</u></p> <p style="text-align: center;"><u>O.A 216/2020</u></p> <p>Shri S.W Thakare ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"><li>1. Heard Shri P.K Shahane, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</li><li>2. At the request of learned counsel for the applicant matter is taken on Board today.</li><li>3. Respondents to file reply before 3.12.2020 and copy of the same to be served on learned counsel for the applicant one week in advance.</li><li>4. S.O to 3.12.2020.</li></ol> <p style="text-align: center;">Sd/-  Sd/- </p> <p style="text-align: center;">(P.N Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akh-</p>


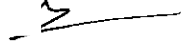
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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
	<p><b><u>15.10.2020</u></b></p> <p><b><u>C.A 25/2020 in O.A 28/2018 with 938/2018</u></b></p> <p>Shri D.L Awate ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. In this contempt application, learned C.P.O submits that today the matter was to appear at serial no. 5 before the First Court of Hon. High Court. But the Board is curtailed. However, she has received instructions from the Government Pleader that the matter will be again mentioned before the First Court and Government will pray for circulation. She submits that Government is continuously in the process of getting matter on Board to secure the orders. She further submits that Special I.G. Mr Niket Kaushik, Respondent no. 1, is now transferred as Joint C.P., E.O.W, Mumbai and other officer <del>Mr</del> Sanjay Mohite has taken charge of the office of Special Inspector General of Police, Konkan Range, Navi Mumbai.</p> <p>3. Two weeks' time is granted to enable Respondent-Government to get orders from the Hon. High Court.</p> <p>4. S:O to 19.10.2020.</p> <p align="center">Sd/-  Sd/- </p> <p align="center"><b>(P.N Dixit)</b> Vice-Chairman (A)</p> <p align="center"><b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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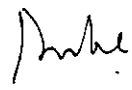
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	<p><b><u>15.10.2020</u></b></p> <p><b><u>O.A.No. 434/2020</u></b></p> <p>Smt Surekha R Chavan ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned Advocate for the Applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. At the request of learned P.O adjourned to 29.10.2020.</p> <p> Sd/-</p> <p><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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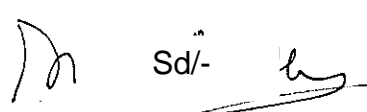
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	<p><b><u>15.10.2020</u></b></p> <p><b>O.A.No.312 of 2020</b></p> <p>S.K. Nara ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents seeks time to file reply.</p> <p>3. Time granted. Adjourned to 17.12.2020.</p> <p> <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>



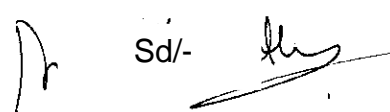
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.10.2020</u></b></p> <p><b><u>O.A.No. 407/2020</u></b></p> <p>Shri D.M Shirke ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicant and Smt Krant S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the applicant wants to withdraw the Original Application. Letter to that effect submitted by the applicant is taken on record.</p> <p>3. Allowed to withdraw the Original Application is granted. O.A stands disposed of.</p> <p style="text-align: right;"> Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>akn</p>

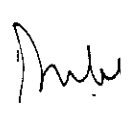

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	<p><b>15.10.2020</b></p> <p><b><u>M.A 242/2020 in O.A.No. 368/2020</u></b></p> <p>Shri B.D Patil ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned Advocate for the Applicant and Shri A.J Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O files affidavit in reply. The same is taken on record.</p> <p>3. S.O to 29.10.2020.</p> <p> Sd/- </p> <p><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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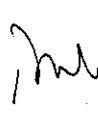

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	<p><u>15.10.2020</u></p> <p><u>O.A.No. 475/2020</u></p> <p>Dr D.A Patil ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.U Pawar, learned Advocate for the Applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the applicant who is disabled has made representation on 16.9.2020 that he can be sent to a nearby place at Pisre, Tal-Karmala, Dist -Solapur.</p> <p>3. Learned counsel for the applicant states that he was due for transfer.</p> <p>4. The Respondents are directed to consider the representation in view of The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.</p> <p>5. S.O to 5.11.2020. In the meanwhile applicant to continue to wor at his old posting, if at all nobody has joined.</p> <p> Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.10.2020</u></b></p> <p><b>O.A.No.409 of 2020 with O.A.No.410 of 2020</b></p> <p>D.S. Aswale (O.A.409/2020) A.S. Sali (O.A.410/2020) ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. files affidavit-in-reply in both the Original Applications. The same are taken on record.</p> <p>3. The Applicants are transferred as they were due for transfer. The Applicants have completed more than 3 years.</p> <p>4. The learned C.P.O. submits that as per the G.R. dated 07.07.2020, the Government laid down the policy of partial transfer of only 15% employees who are due. Out of 15%, 7.5% transfers are made at Divisional level and remaining 7.5% of the Government servants will be made by the Government.</p> <p>5. In view of these submissions, the Respondent No.1 is directed to consider the case of the Applicant in O.A.No.409/2020 for his transfer to Kolhapur and in case of Applicant in O.A.No.410/2020 for her transfer to Satara as both are due for transfer since they have completed normal tenure of 3 years at respective places. Order be communicated to Respondents forthwith.</p> <p>6. In view of above, Original Applications are disposed off.</p> <p style="text-align: right;">  Sd/-   <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>prk</p>

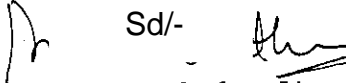
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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><b><u>15.10.2020</u></b></p> <p><b>O.A.No.376 of 2020</b></p> <p>M.S. Dhere ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondents seeks time to file reply.</p> <p>3. Time granted. Copy of the reply be served upon learned Advocate in advance.</p> <p>4. S.O. to 10.12.2020.</p> <p style="text-align: right;"> Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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
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**15.10.2020**

**O.A.No.353 of 2020**

P.D. Kokare ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents



1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant is transferred by order dated 24.07.2020 from Pune to Chandrapur on a vacant post.

3. The learned P.O. files affidavit-in-reply. The same is taken on record. Learned P.O. submits that the applicant was due for transfer.

4. The applicant may file his rejoinder on next day. However the copy of the rejoinder is to be served upon learned P.O. on or before 23.10.2020.

5. S.O. to 29.10.2020.

 Sd/- 

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

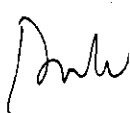
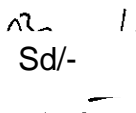
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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.10.2020</u></b></p> <p><b>O.A.No.341 of 2020</b></p> <p>K.K. Kamble ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. for the Respondents submits that Review Committee in its meeting held on 31.12.2019 and 16.06.2020 have taken decision to extend the suspension of the applicant who is suspended due to his prosecution under the Prevention of Corruption Act, 1988.</p> <p>3. Learned C.P.O. seeks time to file affidavit-in-reply.</p> <p>4. Time granted. Adjourned to 26.11.2020.</p> <p> Sd/- </p> <p><b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**15.10.2020**

**O.A.No.325 of 2020**

V.D. Sulochane ... Applicant  
Vs.


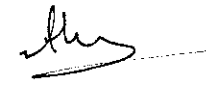
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The learned P.O. submits that in this matter she has been instructed that the Department has taken decision to reinstate the applicant. However the order of his posting is yet to be issued. Learned P.O. on instructions submits that the order of posting of the applicant will be issued till 31.10.2020.

3. In the O.A. the suspension order on the ground of competency is challenged. Learned P.O. is directed to file reply by next date.

4. S.O. to 17.12.2020.

 Sd/- 

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



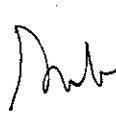

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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><b><u>15.10.2020</u></b></p> <p style="text-align: center;"><b><u>O.A.No. 457, 387, 436, 448/2020 &amp; 352/2020</u></b></p> <p>A.S Shaikh [O.A 457/2020]            K.U Patil [O.A 387/2020]            S.T Ohal [O.A 436/2020]            S.D Bhokare [O.A 448/2020]            M.P Shelke [O.A 352/2020]... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicants in O.A 457, 387, 436 and 448, Shri K.R Jagdale, learned advocate for the applicant in O.A 352/2020 and Ms Swati Manchekar, learned C.P.O, Smt K.S Gaikwad &amp; Shri A.J Chougule, learned Presenting Officer for the Respondents. Shri S.S Dere, learned advocate files Vakalatnama on behalf of Respondent no. 4 in O.A 457/2020.</p> <p>2. Affidavit in reply is filed in O.A 352/2020. In other matters para wise remarks are received by the office of learned C.P.O, so time is sought to file reply. Time granted.</p> <p>3. Interim relief granted to continue in O.A 387/2020 and 436/2020 till next date.</p> <p>4. All matters are to be placed on 29.10.2020.</p> <div style="text-align: right; margin-top: 20px;">  <p>Sd/- </p> <p><b>(Mridula Bhatkar, J.) Chairperson</b></p> </div>

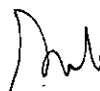

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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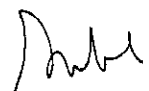

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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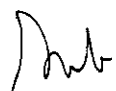

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	<p><b>15.10.2020</b></p> <p style="text-align: center;"><b><u>O.A.No. 457, 387, 436, 448/2020 &amp; 352/2020</u></b></p> <p>A.S Shaikh [O.A 457/2020] K.U Patil [O.A 387/2020] S.T Ohal [O.A 436/2020] S.D Bhokare [O.A 448/2020] M.P Shelke [O.A 352/2020]... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned Advocate for the Applicants in O.A 457, 387, 436 and 448, Shri K.R Jagdale, learned advocate for the applicant in O.A 352/2020 and Ms Swati Manchekar, learned C.P.O, Smt K.S Gaikwad &amp; Shri A.J Chougule, learned Presenting Officer for the Respondents. Shri S.S Dere, learned advocate files Vakalatnama on behalf of Respondent no. 4 in O.A 457/2020.</p> <p>2. Affidavit in reply is filed in O.A 352/2020. In other matters para wise remarks are received by the office of learned C.P.O, so time is sought to file reply. Time granted.</p> <p>3. Interim relief granted to continue in O.A 387/2020 and 436/2020 till next date.</p> <p>4. All matters are to be placed on 29.10.2020.</p> <p style="text-align: right;">  Sd/-   <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>akn</p>

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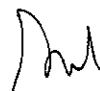
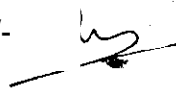
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>15.10.2020</b></p> <p style="text-align: center;"><b><u>O.A.No. 457, 387, 436, 448/2020 &amp; 352/2020</u></b></p> <p>A.S Shaikh                      [O.A 457/2020]  K.U Patil                         [O.A 387/2020]  S.T Ohal                         [O.A 436/2020]  S.D Bhokare                    [O.A 448/2020]  M.P Shelke                    [O.A 352/2020]... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors    ... Respondents</p> <p>1.     Heard Smt Punam Mahajan, learned Advocate for the Applicants in O.A 457, 387, 436 and 448, Shri K.R Jagdale, learned advocate for the applicant in O.A 352/2020 and Ms Swati Manchekar, learned C.P.O, Smt K.S Gaikwad &amp; Shri A.J Chougule, learned Presenting Officer for the Respondents. Shri S.S Dere, learned advocate files Vakalatnama on behalf of Respondent no. 4 in O.A 457/2020.</p> <p>2.     Affidavit in reply is filed in O.A 352/2020. In other matters para wise remarks are received by the office of learned C.P.O, so time is sought to file reply. Time granted.</p> <p>3.     Interim relief granted to continue in O.A 387/2020 and 436/2020 till next date.</p> <p>4.     All matters are to be placed on 29.10.2020.</p> <div style="text-align: right; margin-top: 20px;">  <p>Sd/- </p> <p><b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> </div> <p style="text-align: left; margin-top: 20px;">akn</p>

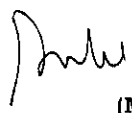
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>15.10.2020</b></p> <p><b>O.A.No.327 of 2020 with O.A.No.339 of 2020</b></p> <p>S.S. Kamathe &amp; Ors. (O.A.327/2020) M.V. Mohite (O.A.339/2020) ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant in O.A.No.327/2020, Shri U.V. Mohite, learned Advocate for the Applicant in O.A.No.339/2020 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. produced a letter dated 14.10.2020 issued by Respondent no.1 addressed to Divisional Commissioner, Konkan Division in pursuance of which the request of grant of deemed date is rejected.</p> <p>3. At the request of learned Counsel for the Applicant, Adjourned to 27.10.2020.</p> <p style="text-align: right;"> Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>prk</p>

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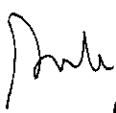
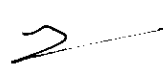
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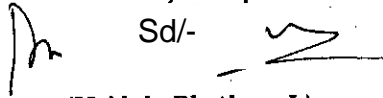
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	<p style="text-align: center;"><b><u>15.10.2020</u></b></p> <p style="text-align: center;"><b>O.A.No.327 of 2020 with O.A.No.339 of 2020</b></p> <p>S.S. Kamathe &amp; Ors. (O.A.327/2020) M.V. Mohite (O.A.339/2020) ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant in O.A.No.327/2020, Shri U.V. Mohite, learned Advocate for the Applicant in O.A.No.339/2020 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. produced a letter dated 14.10.2020 issued by Respondent no.1 addressed to Divisional Commissioner, Konkan Division in pursuance of which the request of grant of deemed date is rejected.</p> <p>3. At the request of learned Counsel for the Applicant, Adjourned to 27.10.2020.</p> <div style="text-align: right; margin-top: 20px;">             Sd/-   <b>(Mridula Bhatkar, J.) Chairperson</b> </div> <p style="margin-top: 20px;">prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>15.10.2020</u></b></p> <p><b>O.A.No.552 of 2020</b></p> <p>A.D. Mehetre ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Issue notice before admission returnable on 05.11.2020.</p> <p>3. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>4. 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>5. 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. Applicants are directed to file Affidavit of compliance and notice.</p> <p>6. The learned P.O. to consider paragraph 5.13 while preparing affidavit-in-reply and meanwhile necessary orders can be passed.</p> <p>7. S.O. to 05.11.2020.</p> <p style="text-align: right;">             Sd/-  <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>prk</p>



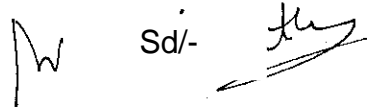
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MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>15.10.2020</u></p> <p align="center"><u>O.A.No. 435/2020</u></p> <p>Shri Rakesh K Pawar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri H.P Ghadigaonkar, learned Advocate for the applicant, Shri A.J Chougule, learned Presenting Officer for the Respondents no 1 to 3 and Smt Punam Mahajan, learned advocate for Respondent no. 4.</p> <p>2. Pursuant to order 8.9.2020, it is further directed to the Respondent to state on affidavit whether the post of State Excise Sub Inspector, who falls in Group-C is 'secretariat service' as per clause 2h of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred as 'ROT Act 2005' for brevity)</p> <p>3. S.O to 22.10.2020</p> <p align="right">             Sd/-  <b>(Mridula Bhatkar, J.) Chairperson</b> </p> <p>akn</p>


# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

IN

Original Application No. \_\_\_\_\_ of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>15.10.2020</u></p> <p><u>O.A.No. 577 /2020</u></p> <p>Shri Pradeep Y. Shelar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R Jagdale, learned Advocate for the Applicant and Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.</li> <li>2. Applicant, who is working as Tahsildar is challenging transfer order dated 1.10.2020, wherein he is transferred from Barshi, Solapur to Commandant Area Development Authority, Solapur.</li> <li>3. Learned counsel for the applicant submits that applicant was not due for transfer and his case was not placed before the Civil Services Board (C.S.B), and approval from the next higher authority was not taken. Learned counsel for the applicant submits that his post is kept vacant.</li> <li>4. Learned C.P.O seeks time to take instructions and file reply. Time granted.</li> <li>5. Applicant to work at his old posting at Barshi, Dist-Solapur, if nobody has taken charge.</li> <li>6. S.O to 29.10.2020.</li> </ol> <p style="text-align: right;">  Sd/- _____  <b>(Mridula Bhatkar, J.) Chairperson</b> </p> <p>akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**SUO MOTO CONTEMPT APPLICATION NO. 1/2020**

**IN**

**ORIGINAL APPLICATION NO 649 OF 2019**

**DISTRICT : PUNE**

Dr. Sunanda Marotrao Gawli )  
Presently working as Live Stock )  
Development Officer, Mycology Grade [A])  
Disease Investigation Section, )  
Aundh, Pune. )  
Residing at Roseland Residency, )  
Pimple, Saudagar, Pune -27. )...**Applicant**

**Versus**

1. The State of Maharashtra )  
Through the Principal Secretary, )  
Animal Husbandry Dairy and )  
Fisheries Dept, M.S., )  
Mantralaya, Mumbai 400 032. )  
2. Dr. Shubhangi Gautam Devkar, )  
Working as LDO (B.Q), )  
Institute of Veterinary Biological )  
Products, Pune - 67. )...**Respondents**

Shri D.B Khaire, learned advocate for the Applicant.

Shri A.J Chougule, learned Presenting Officer for the Respondents.

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

**DATE** : **15.10.2020**

**PER** : **Shri P.N Dixit (Vice-Chairman) (A)**

**ORDER**

1. Heard Shri D.B Khaire, learned advocate for the applicant and  
Shri A.J Chougule, learned Presenting Officer for the Respondents.

*Handwritten mark*

Brief facts of the case:-

2. The applicant, working as Live Stock Development Officer in the Animal Husbandry and Dairy Development Department (Respondent) has been working in the office of the Respondent at Pune since 2008. She was transferred by order dated 4.7.2019. The Tribunal in its order dated 10.7.2019 stayed the said transfer order dated 4.7.2019, stating that prima facie it is mid-term transfer and as such needs approval from the Hon'ble the Chief Minister.

3. The said order dated 10.7.2019 was passed in a group of matters, i.e. (O.A 644/2019 & Ors, Shri Prakash R. Shinde & Ors Vs. State of Maharashtra & Ors). Following the said order, the Respondent sought option from the persons due for transfer in the year 2019. As per the options given, the applicants were transferred to appropriate places. However, the applicant in the present application, namely Dr. Sunanda M. Gawli, did not give her option. Hence, no orders were issued in her case.

4. Another applicant, namely Dr. Anna B. Marakwar, who was similarly situated, had also moved the Tribunal by filing O.A 633/2019. In the said case, by order dated 2.3.2020, the Tribunal observed as under:-

“Needless to mention that Respondent no. 1 is at liberty to consider the issue of transfer of the applicant in ensuing general transfer of 2020 in accordance with law.”

5. Thereafter, the Respondents issued transfer order dated 7.8.2020 transferring various persons including the present applicant to Junnar. Aggrieved by the same, the applicant filed M.A 201/2020 seeking permission to amend the Original Application no. 649/2020 and challenging the order dated 7.8.2020.

6. While considering this, the Tribunal came to the conclusion that prima facie there was contempt of the order dated 10.7.2019 passed by the Tribunal. Accordingly, notice was issued to the Respondents.

Respondents have filed their say on 7.9.2020 in the form of an affidavit by Shri Anoop Kumar, Principal Secretary, Animal Husbandry, Dairy Development and Fisheries Department, Mantralaya, Mumbai.

7. Respondents has tendered unconditional apology for the same. The Respondents have clarified that as per the order dated 2.3.2020 in O.A 633/2019, the Respondent was at liberty to consider the issue of transfer of the applicant in ensuing general transfer of 2020 in accordance with law. Hence, as per the minutes of the meeting of the Civil Services Board (C.S.B) held on 31.7.2020, it was observed that the applicant was working in Pune from 2008 and hence due for transfer, after following due procedure. Therefore, the Respondent had transferred the applicant to Junnar, Dist-Pune on 7.8.2020.

8. After taking into consideration the above explanation given by the Respondent and accepting the unconditional apology tendered, we are of the considered opinion that there does not appear to be contempt of the order dated 10.7.2019 of this Tribunal.

9. There is no substance in the Suo Moto Contempt Application. Hence, we order as under:-

(a) The notice issued on 27.8.2020 in Suo Moto Contempt Application is withdrawn and matter is disposed of accordingly.

Sd/-

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

Sd/-

  
(Mridula Bhatkar, J.)  
Chairperson

**Place : Mumbai**  
**Date : 15.10.2020**  
**Dictation taken by : A.K. Nair.**



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><b><u>15.10.2020</u></b></p> <p><b>M.A.No.174/2020 in O.A.No.272/2020 (Nagpur)</b> with <b>M.A.No.175/2020 in O.A.No.273/2020 (Nagpur)</b> with <b>M.A.No.176/2020 in O.A.No.274/2020 (Nagpur)</b></p> <p>R.D. Shirsath (M.A.174/2020 in O.A.272/2020) S.J. Jadhav (M.A.175/2020 in O.A.273/2020) M.K. Surwade (M.A.176/2020 in O.A.274/2020) ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate holding for Shri Shriram Palshikar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. These three applications are moved under Section 25 of the Administrative Tribunals Act 1985, for transfer from Aurangabad Bench to Nagpur Bench for final hearing. In all these matters the applicant seeks a common relief. Learned Counsel for the Applicants has submitted the following grounds :-</p> <p>(a) Division Bench is not available at Aurangabad Bench.</p> <p>(b) Nagpur Bench of the Tribunal has decide nearly 10 to 12 Original Applications on the similar issue of the applicants in Police Department.</p> <p>3. Learned C.P.O. for the Respondents while opposing these applications submits that these are final hearing matters and due to COVID-19 pandemic situation the final hearing of the matters is not regularly taken place. Similarly all the Benches are not functioning throughout the week, but for only two days in a week. Under such circumstances, it is difficult to take final hearing as only for urgent matters the staff of Mantralaya is available for</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>instructions. She further submits that the matter is pertaining to dismissal which comes under Article 311(2) the Constitution of India so it is to be argued at length.</p> <p>4. Considered submissions of both learned Counsel for the Applicant and learned C.P.O. for the Respondents. Under the present unprecedented situation of COVID-19 pandemic the matter from one bench to another Bench for final hearing cannot be transferred in view of the limited working hours of all the Benches of the Tribunal and so also the staff of the Tribunal and staff from the government is also not working with full strength in order to avoid the crowding.</p> <p>5. True the litigants should have a forum to agitate his or her grievance and the necessary steps are taken to that effect by the selection committee under the Act.</p> <p>6. Moreover, if these matters are transferred then there will be flood of the matters from Aurangabad Bench seeking transfer for the same reasons either to Nagpur or to Mumbai which will invite a very administrative chaotic situation.</p> <p>7. With this the prayer of transfer is rejected. These matters can awaited till 30.11.2020.</p> <p>8. In view of the above, M.A.No.174/2020, M.A.No.175/2020 and M.A.No.176/2020 are hereby dismissed.</p> <p style="text-align: right;"> Sd/- </p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>