

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p align="center"><u>O.A. No.1005 of 2024</u></p> <p>Sheetal B. Janave ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Not on board. Mentioned and taken on board.</p> <p>3. Ld. Advocate for the applicant tenders an application dated 15.10.2024 along with order dated 15.10.2024 passed by the Home Department and states that transfer order of the applicant is cancelled. He states that as the grievance of the applicant is redressed he may be allowed to withdraw the above OA.</p> <p>4. OA is allowed to be withdrawn and disposed off as such.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p style="text-align: center;"><u>M.A. No.619 of 2024 in O.A. No.1189 of 2024</u></p> <p>S.P. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 18.10.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the MA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the MA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p style="text-align: center;"><u>M.A. No.618 of 2024 in O.A. No.1194 of 2024</u></p> <p>H.N. Thakar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 18.10.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the MA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the MA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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| | <p align="center"><u>O.A. No.1229 of 2024</u></p> <p>V.K. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. CPO states that she is filing reply today.</p> <p>3. S.O. to 22.10.2024. To be shown under the caption of Urgent Admission. Interim relief, if any, to continue.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p align="center"><u>M.A. No.621 of 2024 in O.A. No.1279 of 2024</u></p> <p>S.H. Shewale & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p style="text-align: center;"><u>O.A. No.1286 of 2024</u></p> <p>G.S. Kashte ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri Suresh Pidgewar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 19.11.2024. The respondents are directed to file reply. Ld. PO pointed out that order dated 26.8.2024 at Exh.A-5 is not challenged.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.As. No.1313, 1314 & 1315 of 2024</u></p> <p>S.S. Mahajan V.T. Kamble I.M. Makandar ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. Archana B.K. & Shri A.D.Gugale, learned Presenting Officers for the Respondents are present.</p> <p>2. All the above applicants are Drivers and their services are terminated by order dated 4.10.2024 on the ground that they do not have the experience certificate of the requisite period i.e. 3 years. Ld. Advocate for the applicants submits that cases of each applicant are varied on different facts. However, the main contention raised is that applicants were working for 6-7 years and their services are terminated without giving show cause notice.</p> <p>3. S.O. to 17.10.2024 under the caption of Urgent Admission.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>M.A. No.627 of 2024 in O.A. No.1330 of 2024</u></p> <p>L.S. Waydande & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p style="text-align: center;"><u>O.A. No.1330 of 2024</u></p> <p>L.S. Waydande & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicants submits that applicants were given appointment on 1.7.2024 as Staff Nurse but subsequently cancelled by order dated 4.9.2024 mainly on the ground that post in their category is not available. She states that no notice is given to the applicants.</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 before admission returnable on 23.10.2024. The respondents are directed to file reply. To be shown under the caption of Urgent Admission.</p> <p>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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/Misc. Application shall be placed on board before the concerned Benches under the caption "For Dismissal" and thereafter on the subsequent date the Original/Misc. Applications shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>C.A. No.17 of 2024 in O.A. No.641 of 2023</u></p> <p>S.S. Rawle ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that she is filing reply of respondent no.2. She states that decision is taken by disciplinary authority and file is sent to MPSC on 1.7.2024. Reminders are sent on 24.7.2024 & 29.7.2024 to MPSC. CA is filed for implementation of order dated 3.7.2023.</p> <p>3. This is unexplainable delay showing disregard to the order of the Tribunal. Hence, we direct Principal Secretary, Revenue & Forest Department to remain present tomorrow at 12'O clock. Ld. PO to communicate this order.</p> <p>4. S.O. to 16.10.2024 at 12'O clock.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>C.A. No.56 of 2024 in O.A. No.43 of 2023</u></p> <p>S.B. Mosamkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri R.L. Kulkarni, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO states that respondent has decided the issue and has passed order on 10.11.2023 and the order of the Tribunal dated 17.7.2023 is implemented.</p> <p>3. Nothing remains in the CA and the CA is disposed off accordingly.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>C.A. No.59 of 2024 in O.A. No.1151 of 2022</u></p> <p>P.S. Kadam ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.S.Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that Writ Petition No.10969 of 2024 is placed tomorrow.</p> <p>3. S.O. to 13.11.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>C.A. No.66 of 2024 in O.A. No.918 of 2023</u></p> <p>N.K. More ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Issue contempt notice to the respondents returnable on 12.11.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"> <u>CA No.69/2024 in OA No.284/2024 with</u> <u>CA No.70/2024 in OA No.287/2024 with</u> <u>CA No.72/2024 in OA No.285/2024 with</u> <u>CA No.74/2024 in OA No.292/2024 with</u> <u>CA No.75/2024 in OA No.289/2024 with</u> <u>CA No.76/2024 in OA No.288/2024 with</u> <u>CA No.77/2024 in OA No.316/2024 with</u> <u>CA No.78/2024 in OA No.323/2024 with</u> <u>CA No.99/2024 in OA No.152/2024</u> </p> <p> V.D. Kadbane & Anr. S.S.Chavhan & Ors. S.A. Jagtap & Ors. D.S. Jamdade A.B. Dhame & Ors. R.V. Mavkar R.R. Divte G.P. Mokashi P.V. Jadhav Vs. The State of Maharashtra & Ors. </p> <p align="right"> ..Applicants ..Respondents </p> <p> Shri P.M. Nagargoje, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents are present. </p> <p> 2. At the request of Ld. Advocate for the applicants adjourned to 28.11.2024. </p> <p align="right"> Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024 </p> <p>(sgj)</p> |

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| | <p align="center"><u>C.A. No.104 of 2024 in O.A. No.717 of 2012</u></p> <p>M.S. Nagulpelli ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri S.B. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO to file affidavit in which they are directed to explain how the order of the Tribunal dated 3.3.2015 and the order of the Hon'ble High Court dated 17.10.2023 are complied with. Ld. PO submits that the order of the Tribunal dated 3.3.2015 was complied with and accordingly communicated to the applicant on 13.4.2015.</p> <p>3. S.O. to 13.11.2024.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.1279 of 2024</u></p> <p>S.H. Shewale & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. This pertains to the recruitment process and getting benefit of horizontal reservation from female category for those who do not possess NCL certificate. Clause 5 of GR dated 4.5.2023 is under challenge. This Tribunal at Aurangabad Bench has passed on 10.5.2024 in OA No.932/2023 Saraswathi K. Makne & Anr. Vs. The State of Maharashtra & Ors. whereby the application of clause 5 of GR was struck down. The same view is adopted by this Bench in OA No.1139/2023 Dr. Sanghamitra K. Phule Vs. The State of Maharashtra & Ors. by order dated 12.7.2024 and it is held unconstitutional. Ld. CPO states that said order of the Aurangabad Bench is challenged by the State before the Hon'ble High Court Bench at Aurangabad in W.P. No.8735/2024 and status quo order is passed on 19.8.2024.</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 before admission returnable on 12.11.2024. The respondents are directed to file reply.</p> <p>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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> |

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| | <p>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.</p> <p>7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 15.10.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.1326 of 2024</u></p> <p>A.S. Dawane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents are present.</p> <p>2. Ld. Advocate for the applicant states that applicant belongs to SC General and Respondents No.9 & 10 belongs to SC Disabled and they are served. He states that respondent no.9 was appointed as State Tax Inspector and at that time he did not seek appointment from reserved category of Disabled and now he is selected under reserved category of Disabled.</p> <p>3. Appointment of Respondents No.9 and 10 is subject to outcome of this OA.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 12.11.2024. The respondents are directed to file reply.</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 O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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> |

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8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

9. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

Sd/-
(Mridula Bhatkar, J.)
Chairperson
15.10.2024

(sgj)

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| | <p>Date : 15.10.2024 O.A.No.1339/2024</p> <p>A.B. DoiphodeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. M.D. Lonkar, learned Counsel for the Applicant, Ms. Archana B.K., learned Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Counsel for Respondent No.4 are present.</p> <p>2. Learned Counsel Mr. Lonkar has tendered copy of service report wherein all the Respondents are served.</p> <p>3. Applicant prays impugned orders dated 11.10.2024 (Exhibit-A and Exhibit-B) issued in respect of Applicant and Respondent no.4 are to be quashed and set aside with all consequential service benefits in favour of the present applicant. Further applicant prays for interim order staying operation of orders and directing Respondents to allow the Applicant to continue to work as Divisional Quality Control Inspector, Pune in the office of Respondent No.3, the Divisional Joint Director of Agriculture, Pune, on such terms and conditions as this Hon'ble Tribunal may deem fit and proper.</p> <p>4. Learned Counsel Mr. Lonkar has submitted that Applicant is transferred by order dated 11.10.2024 from the office of Agriculture Officer, Group B, Divisional Joint Director of Agriculture (Quality Control), Pune to the post of Agriculture Officer, Input Quality Control, Pune i.e. office of Commissioner of Agriculture Pune. Learned Counsel Mr. Lonkar has submitted that applicant has challenged the transfer order on the following grounds :</p> <p>(a) Transfer order of the applicant is in contravention of Sections 4(4)(ii) and 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties, Act, 2005.</p> <p>(b) Transfer order of Respondent No.4 from Kolhapur in place of the applicant is by the same order.</p> <p>(c) Applicant is due to retire by the end of December, 2024.</p> |

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directions and Registrar's orders

Tribunal's orders

- (d) There was no proposal, no CSB, no approval from Competent Authority as well as next higher authority, as prescribed under statutory provisions incorporated under ROTA, 2005 in respect of transfer order of Respondent No.4..
- (e) By order dated 09.08.2021 Applicant was transferred from Tal. Khandala, District Satara to the office of the Divisional Joint Director of Agriculture (Quality Control), Pune as Inspector.
5. Learned Counsel Mr. Bandiwadekar has submitted that Respondent No.4 took charge on 14.10.2024.
6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
7. Issue notice before admission returnable on 17.10.2024.
8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
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.
10. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
11. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.
12. Adjourned to 17.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO.1335/2024

M.J. Awatade

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

Mr. Arvind V. Bandiwadekar, learned Counsel for the Applicant
Mr. A.J. Chougule, learned Presenting Officer for the Respondent.
Ms. Punam Mahajan, learned Counsel for the Respondent No.2.

CORAM : **Justice Mridula Bhatkar, Chairperson**

DATE : **15.10.2024**

O R D E R

1. Applicant working as Chief Accounts and Finance Officer, challenges order dated 11.10.2024 issued by Respondent No.1, thereby transferring Respondent No.2 in place of the Applicant as Chief Accounts and Finance Officer, Zilla Parishad, Pune from Municipal Corporation, Ahmednagar and transferred to Applicant to the post of Deputy Director, GST Commissionerate, Mumbai.

2. Learned Counsel Mr. Bandiwadekar has submitted that copy of O.A. is served to the concern yesterday at 3.30 p.m.. He has challenged the transfer order on the following grounds :

- (a) By order dated 06.10.2021 Applicant was transferred and he joined on 12.10.2021. Thus, Applicant has completed the tenure of three years.
- (b) Applicant's transfer is mid-term as the transfer order is passed violating Section 4(4)(ii) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties, Act, 2005 (hereinafter referred as 'ROTA 2005' for brevity).
- (c) Learned Counsel Mr. Bandiwadekar has submitted that applicant has been informed about his transfer by email on Friday, 11th October, 24 at 10.00 p.m. from Z.P. Pune and he stood relieved and transferred to Mumbai. Thus applicant approached the Tribunal yesterday i.e. on 14.10.2024 and has served copy to the Respondents. Applicant has not handed over his charge.

- (d) Learned Counsel Mr, Bandiwadekar has submitted that there is patent breach of Rule 8 (page 33) of the Revenue Division Allotment for appointment by nominal and promotion to the posts of Group A and Gorup B (Gazetted and Non-Gazetted) of the Government of Maharashtra Rules, 2015 wherein such officers shall be eligible for transfer as per the ROTA 2005.
- (e) Learned Counsel has submitted that Respondent No.2 was transferred to Ahmednagar by order dated 20.04.2022. Respondent No.2 was earlier in Nashik Division and thereafter he was allotted Ahmednagar, so he did not complete the period of three years when he was posted on promotion.
- (f) Learned Counsel Mr. Bandiwadekar has relied on Rule 7 and Rule 12 of the Revenue Division Allotment for appointment by nominal and promotion to the posts of Group A and Gorup B (Gazetted and Non-Gazetted) of the Government of Maharashtra Rules, 2015 dated 14.07.2021. He has submitted that the case of Respondent No.2 is neither covered under Rule 7 nor under Rule 12 of putting minimum period of three years at particular Division.
- (g) Applicant's mother is blind, paralyzed and seeking psychological consultation in Pune.
- (h) Applicant challenges transfer order on the point of competency of the transferring authority issuing the order of transfer. Applicant has submitted that considering the pay scale of the applicant, applicant falls in Class (a) of the Table appended to Section 6 of the said Act. Thus, transfer order is to be issued by the Hon'ble Chief Minister, who is the competent authority in case of applicant and not the immediate Superintending Authority.

3. In support of his submissions learned Counsel has relied on the judgment of this Tribunal dated 09.10.2024 in O.A.No.1006/2024, S.S. Mali Versus The State of Maharashtra & Ors. wherein Rules 29 and 31 of the Maharashtra Civil Service (General Conditions of Service) Rules, 1981 is discussed.

4. Learned Counsel Ms. Mahajan appearing for Respondent No.2 has submitted that Respondent No.2 has taken charge on 14.10.2024. Learned Counsel Ms. Mahajan has pointed out Clause 9 of the Election Commission guidelines dated 31.07.2024. Learned Counsel Ms. Mahajan seeks time.

5. O.A is kept back as nobody is present.

LATER ON :

6. At the request of learned P.O. adjourned to 16.10.2024.
7. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
8. Issue notice before admission returnable on 16.10.2024.
9. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
11. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
12. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.
13. Adjourned to 16.10.2024.

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO.1338/2024

G.U. RathodApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

Mr. C.T. Chandratre, learned Counsel for the Applicant
Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents
Ms. Punam Mahajan, learned Counsel for Respondent No.4 are present.

CORAM : **Justice Mridula Bhatkar, Chairperson**

DATE : **15.10.2024**

O R D E R

1. Mr. Kunal Damle a/w. Ms. Shraddha Dube Patil i/by M/S. Jay & Co. for MIDC though not party Respondent is present. Since, MIDC is not party Respondent at present, MIDC has no locus.

2. Applicant prays that Respondents be directed to place before the Tribunal record and proceedings of the order dated 11.10.2024 and after examining its legality and validity regarding the transfer of Applicant and Respondent No.4, the Tribunal be pleased to hold and declare that, the impugned order is illegal qua the Applicant and by suitable order the same may be quashed and set aside. Applicant further prays that Respondents No.1 and 3 be directed to restore the order dated 06.08.2024 so far as the Applicant is concerned and direct Respondent No.3 to issue the movement order in respect of the Applicant within one week from the date of the order of this Hon. Tribunal.

3. Learned Counsel Mr. Chandratre has submitted that by impugned order dated 11.10.2024, the Applicant who is Deputy Collector and who was posted as Regional Officer, Maharashtra Industrial Development Corporation (MIDC), Nashik on 06.08.2024 came to be transferred and posted as Deputy Chief Officer, Shree Sai Baba Sansthan, Shirdi, District Ahmednagar. Learned Counsel has submitted that by order dated 06.08.2024 applicant

was transferred from Parner, District Nagar to Regional Officers, MIDC, Nashik. Applicant could not join as Regional Officer, MIDC, Nashik pursuant to order dated 06.08.2024 because the movement has not been issued by the Secretary, Industry Department, MIDC. On 07.08.2024 (Exhibit A-5) the applicant has made written request to the Principal Secretary, Industry, Mantralaya to let him join his new posting. On 07.08.2024 (Exhibit A-7) Mr. Uday Samant, Hon'ble Cabinet Minister of Industry has given order to Principal Secretary and Additional Chief Secretary (Revenue) that Respondent No.4, Mr. Deepak Santosh Patil is to be posted as Regional Officer, MIDC on deputation. Pursuant to this letter, transfer order dated 11.10.2024 (Exhibit A-1) was issued.

4. Learned Counsel Mr. Chandratre has submitted that now the applicant by order dated 11.10.2024 is transferred as Deputy Chief Officer, Shree Sai Baba Sansthan, Shirdi, District Ahmednagar on deputation. Learned Counsel has pointed out that by order dated 11.10.2024 Respondent No.4, Mr. Deepak Patil is transferred from Jalna on deputation to Nashik in the place of applicant. Learned Counsel Mr. Chandratre has relied and pointed out Clause 9 of Circular dated 11.02.2015 (Exhibit A-8) issued in pursuance for implementing the provisions of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties, Act, 2005. He has submitted that at Clause 9 of the said Circular the G.A.D. has taken policy decision and the present case of the applicant is protected under Clause 9 of the said Circular.

5. Learned Counsel Mr. Chandratre has submitted that Respondent No.4, Mr. Deepak Santosh Patil was posted at Jalna, Marathwada region under Divisional Allotment Rules of 2021 and he has put in only eight months in Marathwada region. Therefore he cannot be shifted in any other Division unless he completes his tenure of three years. Learned Counsel Mr. Chandratre has submitted that applicant was transferred on deputation though he has never made any request. Learned Counsel Mr. Chandratre has submitted that wife of the applicant is working as Deputy Collector, Nashik and applicant was working outside Nashik for six years, so the

applicant made request that he may be posted in Nashik. Learned Counsel has submitted that the partial modification is made only because of the letter given by the Hon'ble Minister and that cannot be exceptional circumstances or special reasons. Applicant's post of R.O. MIDC is not counted as Election duty and the post of Respondent No.4, SDO, Jalna, is notified post of Election Commission.

6. Learned P.O. seeks time to take instructions.

7. Time granted.

8. Learned Counsel Ms. Mahajan has submitted that by order dated 31.01.2024 passed by this Tribunal in O.A.No.942/2023, Mr. Rajiv V. Shinde & Ors. Vs. State of Maharashtra & Ors. all the Deputy Collectors are shuffled as per their region in the Regional Cadre. Learned Counsel Ms. Mahajan has submitted that applicant's Home District is Nashik and therefore he cannot work during the election period at Nashik.

9. Considered submissions. The Clause 9 of Circular dated 11.02.2015 which is relied by learned Counsel Mr. Chandratre reads as below :

९. काही प्रकरणामध्ये एकदा सक्षम प्राधिका-याकडून बदलीचे आदेश मंजूर झाल्यानंतर अंशतः बदल असे दर्शवून वरीष्ठ प्राधिका-याची मंजूरी न घेता बदल्यांचे आदेश निर्गमित केले जातात. अशा प्रकारच्या अंशतः बदल या कारणांतर्गत बदल्या करण्यात येवू नयेत. काही अपवादात्मक प्रकरणी पूर्वीच्या बदली आदेशात बदल करावयाचे असल्यास तो नवीन प्रस्ताव समजण्यात येवून बदलीचा प्रस्ताव पूर्ण समर्थनासह सक्षम प्राधिका-याने त्यांच्या लगतच्या वरीष्ठ प्राधिका-याकडे सादर करून वरीष्ठ प्राधिका-याची मान्यता घेणे बंधनकारक राहिल.

In view that Applicant and Respondent No.4 both have not joined there transferred post, the post of R.O. M.I.D.C. is to be kept vacant till further orders of the Tribunal. Applicant and Respondent No.4 not to join on their transferred post and if at all any other person is working on the post, he/she may continue on the post. Status quo to be maintained.

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

11. Issue notice before admission returnable on 17.10.2024.

12. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

14. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

15. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

16. Adjourned to 17.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO.1303/2024

S.P. LokhandeApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

Mr. M.D. Lonkar, learned Counsel for the Applicant,
Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents
Respondent No.5, Mr. Shivaji B. Patil present in person

CORAM : **Justice Mridula Bhatkar, Chairperson**

DATE : **15.10.2024**

O R D E R

1. Learned Counsel Mr. Lonkar has submitted that O.A.No.1303/2024 is to be detagged from the group of O.A.No.1281/2024 & Ors. which is shown on today's board and O.A.No.1303/2024 is to be heard separately.

2. At the request of learned Counsel Mr. Lonkar O.A.No.1303/2024 is detagged from the group of O.A.No.1281/2024 & Ors and taken up separately.

3. Applicant working as Superintendent of Police, Anti-Corruption Bureau, Thane prays that impugned order dated 07.10.2024 issued by Respondent No.1, thereby ousting the Applicant from the post of Superintendent of Police, Anti- Corruption Bureau, Thane and posting Respondent no.5, Mr. Shivaji B. Patil on the post which is held by the applicant be held as illegal and bad in law and the same be quashed and set aside with consequential service benefits in favour of the applicant. Applicant prays for interim order staying the impugned order dated 07.10.2024 issued by Respondent No1, qua the Applicant, with further directions directing the Respondents to allow the Applicant to continue to work as Superintendent of Police, Anti-Corruption Bureau, Thane on such terms and conditions as this Hon'ble Tribunal may deem fit.

W

4. Learned Counsel Mr. Lonkar has tendered copy of service report wherein all the Respondents are served.
5. Respondent no.5, Mr. Shivaji B. Patil is present in person and seeks time to engage Counsel.
6. Leaned Counsel has submitted that the applicant has challenged the transfer order on the following grounds :
 - (a) Applicant's transfer order is passed violating Section 22N of the Maharashtra Police Act. Applicant was transferred as Superintendent of Police, Anti-Corruption Bureau, Thane by order dated 08.11.2022 (Exhibit-E). Thus he has not completed the requisite tenure of two years. Learned Counsel has submitted that applicant was transferred to Nagpur by order dated 07.11.2022 and on the next day the order was modified and the applicant was posted as Superintendent of Police, ACB, Thane. Before that Applicant was transferred from the post of Deputy Commissioner of Police, Economic Office Wing, Thane City to the post of Deputy Commissioner of Police, Nagpur City.
 - (b) Learned Counsel has submitted that Respondent No.5, Mr. Shivaji B. Patil was transferred from the post of Deputy Commissioner of Police, Zone-2, Navi Mumbai to the post of Deputy Commissioner of Police, Thane City.
 - (c) Learned Counsel has submitted that Respondent No.1 has not constituted meeting of Police Establishment Board-1 (PEB-1), thereby violating Section 22C of the PEB-1.
7. Learned C.P.O. has pointed out to order dated 07.10.2024 which are issued under Section 22N(2) of the Maharashtra Police Act which states that the Competent Authority can make mid-term transfers of police personnel in exceptional cases thus, in present case approval of the highest authority which is the competent authority has taken note in consultation with the Joint Chief Election Officer, State of Maharashtra. Learned C.P.O. has submitted that it is exceptional case as there is default on the part of the applicant in laxity of investigation and therefore the applicant is transferred

by taking measures under Section 22(N)(2) of the Maharashtra Police Act. Thus, she has submitted that there is no breach of any procedure. Hence, PEB-1 was not constituted.

8. Considered submissions made by learned Counsel as well as learned C.P.O. It appears that the applicant has no prima facie case in his favour to grant any interim relief. However, Respondents are directed to issue posting order in favour of the applicant as the applicant cannot be kept without posting.

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

10. Issue notice before admission returnable on 24.10.2024. Respondents to file affidavit-in-reply.

11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

13. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.



14. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

15. Adjourned to 24.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

- (ii) No CSB meeting was conducted by the Respondents.
- (iii) No approval of Divisional Commissioner was taken while issuing the transfer order of the applicant.
- (iv) Applicant has completed the normal tenure of three years. Thus, as per G.R. dated 09.04.2018 the Respondent was required to call the preferential options from the Applicant. The same was not done.
- (v) Pvt. Respondent No.2, Mr. Sarfraj M. Sandhe had hardly completed the tenure of seven months and he is thereafter came to be transferred on the post of Circle Officer, Land Acquisition Office, District Collector Office, Ratnagiri and again transferred on the earlier post of Applicant i.e. Circle Officer, Jaigad, Tahsil Office, Ratnagiri.
- (vi) Learned Counsel has pointed out that by order dated 15.08.2024 one Mr. K.N. Gaikwad was transferred from Satavali Tal. Lanja, District Ratnagiri to the Tahasil Office, Rajapur as Sanjay Gandhi Awal Karkoon. Thereafter Mr. K.N. Gaikwad had approached this Tribunal by filing O.A.No.1017/2024 (Exhibit-F). This Tribunal by order dated 24.09.2024 had granted status quo, qua the Applicant (Mr. K.N. Gaikwad) in the said case. By another order dated 15.08.2024 applicant was transferred from Jaigad District Ratnagiri as Circle Officer, Satavali, Tal. Lanja, Distrct Ratnagiri and till date the order dated 15.08.2024 issued in respect of the applicant is not cancelled by the Respondent No.1.

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

4. Issue notice before admission returnable on 17.10.2024.

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

9. Adjourned to 17.10.2024. To be shown under the caption 'For Urgent Admission'.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 15.10.2024 O.A.No.1328/2024</p> <p>R.R.. SalunkheApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. S.S. Dere, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. Applicant prays that Respondents by directed to quash and set aside the impugned transfer order dated 10.10.2024 issued by the Respondent No.1 and further direct Respondents to permit the applicant to complete his normal tenure as Naib Tahsildar in the office of SDO, Pen, District Raigad.</p> <p>3. Learned Counsel has submitted that Applicant working as Naib Tahsildar challenges the transfer order dated 10.10.2024 issued by Respondent No.1 transferring the Applicant from the post of Naib Tahsildar in the office of SDO, Pen, District Raigad to the Tahsil Office, Pen Election Branch which is non-executive post. Learned Counsel has submitted that Applicant and Respondent No.2, Mr. Tusar M. Kamat are at present working on their respective posts as they both are not relieved. Learned Counsel has submitted that no CSB meeting was considered for issuing the transfer order of the Applicant. Learned Counsel has pointed out that Applicant was posted at Pen, District Raigad (executive post) on 13.09.2024 from Suburban Mumbai. Learned Counsel has submitted that on request of Respondent No.2, he has been posted in place of the applicant. Learned Counsel has submitted that he has served all the Respondents.</p> <p>4. Learned P.O. seeks time to file affidavit-in-reply.</p> <p>5. Applicant and Respondent No.2 to continue on their respective posts, if they are not relieved.</p> <p>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 28.10.2024.</p> |

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

Tribunal's orders

8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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.

10. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

11. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

12. Adjourned to 28.10.2024.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| | |
|---|--|
| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
| | <p>Date : 15.10.2024</p> <p>O. A. No. 501 of 2024</p> <p>P. S. MadaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <p><u>L.O.</u></p> <p>Learned PO has filed reply on behalf of Respondent No.2. It is taken on record. The copy of said reply is served to learned Advocate for Applicant.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</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 |
|---|-------------------|

Date : 15.10.2024

O. A. No. 481 of 2024

V. R. WaghmareApplicant

Versus

The State of Maharashtra & Ors. ..Respondents.

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

2. The matter is admitted and kept for final hearing with liberty to file Rejoinder, if any.

3. S.O. to 06.01.2025.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 15.10.2024</p> <p align="center">O.A.No.652/2024 (D.B.)</p> <p>S.R. KambleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Mr. S.V. Waghmare, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents are present.</p> <p>2. O.A. not on board. Taken on board at the request of learned Counsel Mr. Waghmare.</p> <p>3. Learned Counsel has tendered praecipe dated 15.10.2024 requesting that O.A. is to be withdrawn.</p> <p>4. The said communication dated 04.09.2024 is to be taken on record and marked as Exhibit-A. Copy be served upon the concern.</p> <p>5. In view of above, O.A. stands disposed of as withdrawn with liberty to file fresh O.A.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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 |
|---|-------------------|

Date : 15.10.2024

M. A. No.587 of 2024 in O.A.No.1258 of 2024

V. B. BhopiApplicant

Versus

The State of Maharashtra & Ors...Respondents.

1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicants and Shri A. D. Gugale, learned Presenting Officer for the Respondents.
2. Today, learned PO has filed Affidavit in Reply. It is taken on record.
3. Learned Advocate seeks time to file Rejoinder, if any.
4. S.O. to 25.10.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O.A.No.752 of 2024

Dr. R. D. Thombare (legal Heir)
R. R. ThombareApplicant

Versus

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

1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. Learned PO submits that Reply is ready but Annexures are to be received and seeks time till tomorrow.

3. S.O. to 16.10.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O. A. No. 918 of 2024

D. N. KhandagaleApplicant

Versus

The State of Maharashtra & Ors. .Respondents.

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

2. Learned PO seeks time to file reply by way of last chance.

3. S.O. to 25.10.2024.

Sd/-

(**A. N. Karmarkar**)
Member (J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O.A.No. 817 of 2024

A. R. Gangode & Ors.Applicants

Versus

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

1. Heard Shri O. A. Wable, learned Advocate for the Applicant through video conference and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Learned PO seeks two weeks' time to file Affidavit in Reply.

3. Learned Advocate for Applicant submits that time be granted as a last chance to file reply.

4. The matter is filed in July, 2024.

6. Time granted to file reply. The Respondents to see that reply will be filed positively on next date.

7. S.O. to 20.11.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O. A. No.643 of 2024

H. T. Pansare & Ors.Applicants

Versus

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

1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Learned PO submits that they have received parawise remarks from the concerned department and seeks short time to file the same.
3. S.O. to 29.10.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O.A.No.624 of 2024

N. D. Pawar

....Applicants

Versus

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

1. Heard Ms K. Rakhangji, learned Advocate for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Learned Advocate for Applicant submits that for filing Rejoinder, they are in need of certain documents which are prayed under RTI but not received yet and seeks time to file the same.

3. S.O. to 18.11.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O.A.No.1563 of 2023

Dr. A. S. KattiApplicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Sufficient time is granted to file reply.

3. The matter to proceed without reply since it is not filed yet.

4. The matter is admitted and kept for final hearing.

5. S.O. to 11.12.2024.

^
Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O.A.No.1556 of 2023

H. R. BhosaleApplicant

Versus

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

1. Heard Shri K. R. Jagdale, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Learned PO submits that instructions are received and seeks two weeks' time to file the same.

3. S.O. to 11.11.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate))

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 15.10.2024</p> <p style="text-align: center;">O.A.No.1550 of 2023</p> <p>U. B. KumbharApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri H. A. Sathe, learned Advocate for Applicant through video conference and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Today, learned PO has filed Affidavit on behalf of Respondent Nos.2 & 3. It is taken on record. 3. Learned PO submits that the Applicant is already transferred and had joined the post of 'Forest Range Surveyor' in the office of Deputy Conservator of Forest (T), Pune on 03.10.2024. Learned PO further states that as Applicant has transferred as per his choice, nothing survives in the matter. 4. Learned Advocate for Applicant to note the above fact. 5. 'Interim Relief' to continue till next date. 6. S.O. to 19.11.2024. <p style="text-align: right;">N Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</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 |
|---|-------------------|

Date : 15.10.2024

O.A.No.1474 of 2023

K. D. PimpleApplicant

Versus

The State of Maharashtra & Ors...Respondents.

1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. The matter is admitted and kept for final hearing with liberty to file Sur-Rejoinder, if any.

3. S.O. to 10.12.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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|---|-------------------|
| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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Date : 15.10.2024.

O.A.No.898 of 2023

S. M. Deshmukh & Ors.Applicants

Versus

The State of Maharashtra & Ors...Respondents.

1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. The matter is admitted and kept for final hearing with liberty to file Rejoinder, if any.
3. 'Interim Relief', if any to continue till next date.
4. S.O. to 09.12.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

M. A. No.588 of 2024 in O.A.No.1259 of 2024

A. E. MisalApplicant

Versus

The State of Maharashtra & Ors...Respondents.

1. Heard Shri G. A. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.

2. Learned PO seeks time to file reply by way of last chance.

3. S.O. to 25.10.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

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

Tribunal's orders

Date : 15.10.2024

O.A.No.1300 of 2024

N. P. Vispute

....Applicant

Versus

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

1. Heard the Applicant in person and Shri D. R. Patil, learned Presenting Officer for the Respondents.
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 22.11.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
8. S.O. to 22.11.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

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

Date : 15.10.2024

O.A.No.1322 of 2024

N. M. GosaradeApplicant
Versus
The State of Maharashtra &Ors. ...Respondents.

1. Heard Shri M. B. Kadam, learned Advocate for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 22.11.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed.
8. S.O. to 22.11.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

Date : 15.10.2024

O.A.No.1325 of 2024

M.D. Thuse

....Applicant

Versus

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

1. Heard Shri M. B. Kadam , learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 19.11.2024.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
8. S.O. to 19.11.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O. A. No. 532 of 2024

S. S. BhiseApplicant

Versus

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

1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. Learned PO submits that he is going to file Affidavit in Reply during the course of the day. Statement is accepted. It be taken on record.

3. Learned Advocate seeks time to file Rejoinder.

4. S.O. to 12.11.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Date : 15.10.2024

O.A.No. 533 of 2024

S. V. Surve

....Applicant

Versus

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

1. Heard Shri M. D. Lonkar, learned Advocate for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.

2. Learned PO submits that he is going to file Affidavit in Reply during the course of the day. Statement is accepted. It be taken on record.

3. Learned Advocate seeks time to file Rejoinder.

4. S.O. to 12.11.2024.

Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

-versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 15.10.2024</p> <p>O. A. No. 501 of 2024</p> <p>P. S. MadaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. .Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. A. S. Kolapkar holding for Shri A. S. Gaikwad, learned Advocate for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Learned PO submits that she has contacted concerned official at Satara who has submitted that probably he may reach to file Affidavit in Reply. 3. Learned PO further states that she is ready to give advance copy of reply to Applicant. 4. S.O. to 17.10.2024. <p style="text-align: right;">D Sd/- (A. N. Karmarkar) 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 : 15.10.2024.</p> <p align="center">O.A.No.438 of 2024 With O.A.No.1151 of 2023</p> <p>A. V. Deshpande J. D. Dange & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicants, Shri A. D. Gugale & Shri A. J. Chougule, learned Presenting Officers for the Respondents.</p> <p>2. The matter is admitted and kept for final hearing with liberty to file Rejoinder, if any.</p> <p>3. 'Interim Relief' if any to continue till next date.</p> <p>4. S.O. to 06.01.2025.</p> <p align="center">Sd/-</p> <p align="center">(A. N. Karmarkar) 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 |
|---|-------------------|

Date : 15.10.2024.

O.A.No.170 of 2024

D. N. TupekarApplicant

Versus

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

1. Heard Shri Rashmi Shirke holding for Shri A. J. Kandarkar, learned Advocate for the Applicant and Shri A. D. Gugale, learned Presenting Officer for the Respondents.

2. Learned PO submits that instructions are received and seeks short time to file reply.

3. S.O. to 24.10.2024.

Sd/-

(A. N. Karmarkar)
Member (J)

vsm

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 15.10.2024</p> <p>O.A.No.167 of 2024</p> <p>P. B. GatkulApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Advocate are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present. 2. Learned PO seeks time to file Affidavit in Reply. Time granted. 3. S.O. to 14.11.2024. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) 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 |
|---|-------------------|

Date : 15.10.2024

O.A.No.1600 of 2023

P. B. IngleApplicant

Versus

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

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned PO has filed Affidavit in Reply on behalf of Respondent Nos.1 to 3. It is taken on record.
3. S.O. to 18.11.2024 for filing Rejoinder, if any.

^
Sd/-

**(A. N. Karmarkar)
Member (J)**

vsm

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p><u>15.10.2024</u></p> <p><u>O.A 1346/2024</u></p> <p>Atul Baburao Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant and Shri D.R Patil, learned P.O for the Respondents.</p> <p>2. The Applicant prays that the Respondents be directed to allow the Applicant to work at the transferred place, i.e., Flying Squad-3, Pune pursuant to order dated 10.10.2024. Further the applicant prays that the order dated 28.8.2024 passed by this Tribunal in O.A 1076/2024 be modified.</p> <p>3. Learned counsel for the applicant pointed out that by order dated 28.8.2024 in O.A 1076/2024, this Tribunal directed the Respondents to keep one post of Flying Squad No. 3, Pune, vacant, if not filled till next date.</p> <p>4. Learned P.O seeks time to take instructions in the matter and file reply.</p> <p>5. Issue notice before admission returnable on 17.10.2024.</p> <p>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</p> <p>7. Applicant is authorized and directed to serve on Respondents intimation / notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. The service may be done by hand delivery/speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within four weeks. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. S.O to 17.10.2024.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
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| | <p><u>15.10.2024</u></p> <p><u>O.A 1345/2023 with Caveat Application No. 44/2024</u></p> <p>Yogesh H. Dhane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.S Dere, learned advocate for the applicant, Ms Archana B.K, learned P.O for the Respondent No. 1 and Ms Deepa Panicker i/b Smita Solwat, learned counsel for Respondent No. 2.</p> <p>2. The applicant challenges the impugned order dated 14.10.2024 transferring him from Zone Thane-3 to Grater Mumbai Zone-1 and transferring Respondent No. 2, from Jalgaon Zone-2 to Thane Zone-3 in his place as illegal and void ab initio as the same is issued in contravention of the provisions of Rule 8 of the Maharashtra Government Allotment of Revenue Division for appointment by nomination and promotion to Group-A and Group-B (Gazetted and Non-Gazetted) Rules, 2021.</p> <p>3. Learned counsel submitted that the Applicant was promoted and posted to the post of Assistant Commissioner (Food), Group-A and allotted to Konkan-2 Division by order dated 15.12.2022 and Respondent No. 2 was also promoted to the post of Assistant Commissioner (Food), Group-A and allotted to Nasik Division by order dated 4.4.2022. Learned counsel submitted that thus the Applicant will be completing 3 years in Konkan Division-2 in December, 2025 and Respondent No. 2 will be completing 3 years in Nasik Division in April, 2025. Learned counsel further submitted that the Applicant is not relieved from his present place of posting.</p> <p>4. Learned counsel Ms Deepa Panicker submits that Respondent No. 2 has filed Caveat Application and seeks time to file reply.</p> <p>5. In view of the above, status quo to be maintained as on today.</p> <p>6. S.O to 22.10.2024.</p> <p align="right">Sd/- ✓ (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p> <p align="right">[P.T.O.]</p> |