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

Date: 16.02.2021

O.A. No.759 of 2020

M.K. Satpute

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. Smt. Punam Mahajan, learned Advocate for the Applicant is absent. Leave note is on record.
- 3. In this matter the learned P.O. produces the order dated 05.02.2021 issued by Home Department, wherein the Applicant is promoted to the rank of Commandant, Indian Reserve Battalion, Group No.14, at Aurangabad. The order is taken on record and is marked as 'Exhibit-1' for identification.
- 4. As nothing remains in this Application it is disposed of.

Sd/-

(P.N. Dixit)

Vice-Chairman

Sd/-

(Mridula R. Bhatkar, J.

Chairperson

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

Date: 16.02.2021

O.A.No.302 of 2020

B.M. Shivdasani Vs. ... Applicant

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. Affidavit-in-reply of all the respondents is already filed.
- 3. Interim relief to continue till next date. Admit. Adjourned to 16.03.2021.

Sd/-

(Mridula Bhatkar, J.) Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

Date: 16.02.2021

O.A.No.498 of 2020

R.R. Salkar

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. The learned C.P.O. submits that para-wise remarks are received and seeks two weeks to file affidavit-in-reply.
- 3. Time granted. Adjourned to 02.03.2021.

Sd/-

(Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 16.02.2021

O.A.No.105 of 2021

Y.S. Patil

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. The applicant challenges the order dated 01.07.2020 passed by respondent by which the Applicant is kept under suspension. He prays that after completion of 90 days w.e.f. 01.10.2020 the Applicant is declared to be ceased to be under suspension.
- 3. The learned P.O., on query, submits that there are no instructions about the review.
- 4. The Respondent is directed to conduct a review about the suspension and accordingly pass the orders considering Ajay Kumar Choudhary Versus Union of India & Anr. reported in (2015) 7 SCC 291.
- 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 09.03.2021.
- 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. Respondent is put to notice that the case may be taken up for final disposal at the stage of admission hearing.
- 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. 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.
- 1. S.O. to 09.03.2021.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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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

Date: 16.02.2021

O.A.No.279 of 2020

S.A. Shinde

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. The learned P.O. submits that para wise remarks are not yet received.
- 3. At the request of learned P.O by way of order dated 19.01.2021 last chance was given to file the affidavit in reply. In this case though the Departmental Enquiry (D.E.) has been initiated on 05.10.2018, it appears that it is not yet completed. By letter dated 08.11.2019 written by one Shri V.N. Shere, Desk Officer, State of Maharashtra has informed the delinquent officer i.e. the Applicant that all the copies are already send to the Enquiry Officer.
- 4. The Respondents are directed to take instructions on all these points and file reply within two weeks.
- 5. S.O. to 04.03.2021.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

Date: 16.02.2021

O.A.No.723 of 2020

A.M. Hate

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- Heard Smt. K.S. Gaikwad, learned Presenting
 Officer for the Respondents. None for the Applicant.
- 2. The learned P.O. seeks time to file affidavit-in-reply.
- 3. Time granted. Adjourned to 16.03.2021.

Sd/-

(Mridula Bhatkar, J.) Chairperson

Tribunal's orders

Date: 16.02.2021

O.A.No.221 of 2020 with M.A.No.151 of 2020

S.V. More

... Applicant

Vs.

--

The State of Maharashtra & Ors

... Respondents

- 1. Heard Ms. Bhavan Punalekar, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
- 2. The Applicant seeks directions that the Respondent no.2, Deputy Commissioner, Divisional Commissioner office, Pune Division to appoint the applicant to the post of Clerk, B category on compassionate ground.
- The learned Advocate submits that the pray is based on Government Resolution (G.R.) dated 14.01.2016 and also challenges the order dated 07.12.2019. Applicant's father retired in the year 2006.
- The M.A.No.151/2020 is filed for condonation of delay.
- 5. Issue notice in M.A.No.151/2020 made returnable on 30.03.2021.
- The office objections, if any, are to be removed and court fees to be paid, if not already paid.
- Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.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.
- 8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 9. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 10. The learned P.O. is directed to file affidavit-inreply to M.A. for condonation of delay.
- 11. The learned Advocate is allowed to take the photocopy of the matter today itself.
- 12. Adjourned to 30.03.2021.

Sd/-

(Mridula Bhatkar, J.) Chairperson

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

Date: 16.02.2021

O.A.No.716 of 2020

D.L. Chavan

... Applicant

Vs. The State of Maharashtra & Ors

... Respondents

- Heard Ms. N.G. Gohad, learned Presenting Officer for the Respondents. None for the Applicant.
- 2. The learned P.O. seeks time to file affidavit-in-reply.
- 3. Time granted. Adjourned to 16.03.2021.

Sd/-

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(Mridula Bhatkar, J.) Chairperson

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

Date: 16.02.2021

O.A.No.522 of 2020

S.S. Chewale

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Ms. N.G. Gohad, learned Presenting Officer for the Respondents.
- 2. Affidavit-in-reply filed by Respondent no.2 is taken on record. The learned P.O. seeks time to file affidavit-in-reply of Respondent No.1.
- 3. By way of last change adjourned to 16.03.2021. If reply not filed on next date, the matter shall proceed without reply.

Sd/(Mridula Bhatkar, J.)
Chairperson

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

Date: 16.02.2021

O.A.No.611 of 2020

R.S. Kulat

... Applicant

Vs.

The State of Maharashtra & Ors

... Respondents

- 1. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. None for the Applicant.
- 2. The learned P.O. submits that the affidavit-inreply is ready however it is to be affirmed and therefore she seeks time.
- 3. Time granted. Adjourned to 23.02.2021.

Sd/(Mridula Bhatkar, J.)
Chairperson

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

Date: 16.02.2021

O.A.No.85 of 2021

S.R. Lohar

... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

- 1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. The applicant who was suspended due to prosecution for the offences under the Prevention of Corruption Act, 1988 was convicted on 22.05.2015 by the learned Sessions Judge, Kolhapur. Thereafter he challenged the said order in the High Court and by judgment dated 07.11.2019 the High Court acquitted the Applicant. He made application for reinstatement on 12.12.2019 and thereafter repeatedly he made the applications. The order of the High Court is not taken before the Hon'ble Supreme Court so he again made representation on 13.01.2021 about his reinstatement which is still pending.
- 3. The learned P.O. to file affidavit-in-reply by next date.
- 4. Adjourned to 09.03.2021.

Sd/-

(Mridula Bhatkar, J.) Chairperson

Original Application No.	of 20	DISTRICT	
			Applicant/s
(Advocate)		
	versus		
The St	ate of Maharashtra ar	nd others	
			Respondent/s
(Presenting Officer		.)	
Office Notes, Office Memoranda of Cora Appearance, Tribunal's orders or directions and Registrar's orders	m,	Tribunal's orders	
		O.A. No.43 of 2021	
•	M.B. Sonawane Vs.		Applicant
	The State of Mahar	rashtra & Ors.	Respondents
		V.P. Potbhare, learne mt. K.S. Gaikwad, pondents.	
	of 1.1.2016 and a dated 14.10.2019.	ant who is retired challulso challenges the deal At the outset we find the deal Advocate is required for condonation of deal and the deal at the deal	ecision of the DPC that there is delay in ed to take necessary
	Sd/- (P.N. Dixit) Vice-Chairm 16.2.2021 (sgj)) (Mridula R nan Chair	Bhatkar, J.) person2021

	112011222	**	
Original Application No.	of 20	DISTRICT	Applicant/s
(Advocate)		
	versus		•
The S	State of Maharashtra	and others	•
(Presenting Officer)	Respondent/s
Office Notes, Office Memoranda of Con Appearance, Tribunal's orders or directions and Registrar's orders		Tribunal's orders	
÷		O.A. No.110 of 2021	
	Dr. R.M. Harid Vs.	as	Applicant
	The State of Ma	aharashtra & Ors.	Respondents
		Shri U.V. Bhosle, learned Smt. K.S. Gaikwad, Respondents.	
	be directed to chat the respond	oplicant seeks directions to complete the DE within for dents be directed to pay pre- on first day of every mon	our weeks and prays ovisional pension at
	respect of his a bn 30.1.2016. The Enquiry Orespondent no applicant on 2 the applicant subn	plicant retired in July 201 absenteeism was initiated Ld. Advocate for the apofficer submitted his report. 1 and thereafter notice 2.7.2017 and in the monteplied to the said notice. In that from October, ecision is taken on the entertainty and the said notice.	by the respondents eplicant submits that our on 20.7.2017 to was issued to the th of October, 2017 Ld. Advocate for the 2017 the matter is
	nordinate del respondents to	all upon the responden ay of 3 years. We a file affidavit in reply wit spondents are directed to	also call upon the hin three weeks and

W

court-fees to be paid, if not already paid.

The office objections, if any, are to be removed and

Tribunal's orders

- 6. Issue notice before admission returnable on 9.3.2021.
- 7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
- 8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 9. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

Sd/-

(P.N. Dixit) Vice-Chairman 16.2.2021

(Mridula R. Bhatkar, J.) Chairperson 16.2.2021

(sgj)

Tribunal's orders

O.A. No.37 of 2021

T.B. Naik

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

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

- 2. The applicant who is working as Assistant Professor, Government College of Education, Ratnagiri seeks declaration that he has sought his appointment in Open General Category and he does not claim any benefit on the basis of S.T. Category.
- 3. The respondents to communicate in their reply whether they have complied the order dated 24.7.2019 passed by this Tribunal in OA No.184 of 2018.
- 4. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.
- 5. Issue notice before admission returnable on 16.3.2021.
- 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 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.
- 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 8. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-

Sd/-

(P.N. Dixit) Vice-Chairman 16.2.2021 (Mridula R. Bhatkar, J.) Chairperson 16.2.2021

(sgj)

Original Application No.	of 20		DISTRICT	•	
				Applic	ant/s
Advocate)				
	versi	us			
The St	ate of Mahar	ashtra and oth	ers		
				Respond	lent/s
Presenting Officer	****************)			
Office Notes, Office Memoranda of Cora Appearance, Tribunal's orders or directions and Registrar's orders	m,	Tri	bunal's orders		
	2	O.A. No.42 of 20	20 with M.A. N	o.37 of 2020	
	K.N. Dix	rit 's.		Applican	t
		e of Maharashtra	a & Ors.	Responde	ents
·	Applican		Kadam, learne Archana B.K., ents.		
	for the along wi	applicant seeks th MA with lib	from the applicant leave to withd erty to file revise fore the compet	raw the above sion challengir	e OA
		n with liberty a	OA along with N is sought. OA a		
		Sd/-	f	Sd/-)
	Vì	P.N. Dixit) ce-Chairman 16.2.2021	Chair	Bhatkar, J.) person 2021	

Original Application No.	of 20	DISTRICT	•
•			Applicant/s
(Advocate)		
	versus		
Th	ne State of Maharash	tra and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Appearance, Tribunal's orders directions and Registrar's orders	s or	Tribunal's orders	
	MA 66/202	1 in MA 305/2020 in OAs 2	71/2017 & 534/2017

The Additional Commissioner of Labour,

..Applicant

Shri M.R. Deshmukh (OA.271/2017)

Shri S.P. Ingle

(OA.534/2017)

The State of Maharashtra & Ors.

..Respondents

Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicant-original Respondent, Shri C.T. Chandratre, learned Advocate for Respondent-original Applicant in OA No.271/2017 and Shri Vaibhav Birmole, earned Advocate holding for Shri D.V. Sutar, learned Advocate for Respondent-original Applicant in OA No.534/2017.

Ld. CPO today points out that in the order dated 4.1.2021 in MA.305/2020 in OAs.271/2017 & 534/2017 some facts were remained to be mentioned before this Fribunal and those facts are required to be taken as a part of he said order. Ld. CPO submits that one Mr. Gajanan Damodhar Dakhne has filed OA No.789 of 2018 challenging he show cause notice for his termination on the ground of eservation. Earlier he was granted interim stay in that OA but however as the Tribunal found that Shri Dakhne was ppointed contrary to the policy of reservation and therefore dismissed the said OA on 31.10.2018. Shri Dakhne challenged the said order before the Hon'ble High Court in W.P. No.12819 of 2018 along with similarly situated persons. The Hon'ble High Court by order dated 1.11.2018 ontinued the interim stay granted by this Tribunal and now the writ petition is pending before the Hon'ble High Court.

Tribunal's orders

- 3. Ld. CPO submits that respondents-original applicants who have in fact secured more marks than cut-off of 96 cannot be appointed by the Government due to the pendency of the writ petition and interim stay granted by the Hon'ble High Court. Shri Dhakne and two others continued in their service. Therefore she submits that the exercise done by the applicant-original respondent pursuant to the order dated 14.1.2021 cannot be effected due to the pendency of the writ petition and stay granted therein. Ld. CPO submits that the Government will take up this matter before the Hon'ble High Court.
- 4. Ld. CPO further submits that at present there is only one vacancy available and one of the respondents-original applicants can be appointed to the vacant post. However, other candidate who has secured above 96 marks and who is eligible cannot be appointed and his appointment depends upon the outcome of writ petition.
- 5. One of the respondent-original applicant who has secured highest marks is to be appointed within one week by the Government as per rules.
- 6. Ld. Advocate for the respondents-original applicants submits that they may go to file application for intervention in the said writ petition as those petitioners are definitely not interested in moving the writ petition in view of the interim relief which is granted by the Hon'ble High Court in their favour.
- 7. Thus the matter is adjourned to four weeks as the applicant-original respondent-State wants to move the Hon'ble High Court in Writ Petition No.12819 of 2018.
- 8. S.O. to 16.3.2021.

Sd/
(P.N. Dixit)
Vice-Chairman
16.2.2021

(Mridula R. Bha kar, J.)
Chairperson
16.2.2021

(sgj)

(G.C.P.) J 2959(B) (50,000—3-2017)

|Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

ΙN

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

Date: 16.02.2021

O.A. No.1116 of 2019

R.U. Shinde

......Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. The learned C.P.O. seeks time.
- 3. Three weeks time as prayed is granted.
- 4. S.O. to 09.03.2021.

Sd/-

Sd/-

(P.N. Dixit)

Vice-Chairman

(Mridula R. Bhatkar, J.) Chairperson

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

Date: 16.02.2021

O.A. No.370 of 2020

S.U. Jawale

.....Applicant

Versus The State of Maharashtra & Ors.

....Respondents.

- Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 5mt. Punam Mahajan, learned Advocate for the Applicant is absent. Leave note is on record.
- Admit. 3.
- S.O. to 19.04.2021. 4.

Sd/-

Sd/-

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

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		
	Date: 16.02.2021		
	O.A. No.700 of 2020		
	S.A. Deokar & OrsApplicant		
·	Versus		
	The State of Maharashtra & OrsRespondents.		
	1. Heard Ms. S.P. Manchekar, learned Chief		
	Presenting Officer for the Respondents.		
	2. Smt. Punam Mahajan, learned Advocate for the		
	Applicant is absent. Leave note is on record.		
	3. The learned C.P.O. has filed Affidavit-in-Reply on		
	behalf of Respondent No.4 dated 15.02.2021. It is taken		
	on record.		
	4. The learned C.P.O. submits that Reply for		
	Respondent No.3 will be ready.		
	5. The learned Advocate for the Applicant Shri B.A.		
	Bandiwadekar seeks time to file Reply on behalf of		
	Respondent No.11,12,13,14.		
·			
·	6. S.O. to 16.03.2021.		
	n		
	Sd/-		
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	(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson		

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

Date: 16.02.2021

O.A. No.722 of 2020

M.A. Tamanekar

......Applicant

Versus !

The State of Maharashtra & Ors.

.....Respondents.

- Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- The learned Advocate for the Applicant Shri K.R. 2. Jagdale submits that the Applicant in this O.A. has prayed for his promotion for the post of Police Sub Inspector with deemed date. He submits that the Applicant has received the order dated 21.01.2021 of promotion from the Respondent which is marked as letter 'Exhibit-1' for identification. He will make representation regarding the deemed date to the Respondent. He submits that in this view matter can be disposed off.
- Hence O.A. is disposed off. 3.

Sd/-

Sd/-

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