

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 16.02.2022</p> <p align="center">O.A.No.272 of 2021</p> <p>B. S. SuryawanshiApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p align="right"> ↖ Sd/- (A.P. Kurhekar) Member(J) </p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.02.2022</u></p> <p style="text-align: center;"><u>O.A 509/2015</u></p> <p>Shri P.G Kolpate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri D.B Khaire, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. This matter is of the year 2015 and is going on as we opened the arguments in October, 2021. The matter is adjourned at the request of the Respondents on many occasions for want of instructions or certain arrangements.</p> <p>3. Now the matter is fixed on 8.3.2022. Learned counsel for the applicant submits that it has to be heard urgently. We also agree that the matter is pending since 2015 and it needs to be attended on priority basis as it is Part Heard.</p> <p>4. Learned P.O submits that the State of Maharashtra has taken decision to appoint a Senior Counsel to argue the matter and the proposal to that effect is forwarded by Maharashtra Sadan, Respondent No. 1 to Law & Judiciary Department and now the said file is pending before G.A.D. Learned P.O submits that as per instructions she is asked to take four weeks' time.</p> <p>5. Learned counsel for the applicant submits that the applicant is all the way coming from Delhi. He is a Class-III Government servant and he has to bear the financial burden unnecessarily if matter does not proceed. The grievance made by the learned counsel for the applicant is justified.</p> <p>6. We would like to point out that earlier the Maharashtra Sadan, Respondent no. 1, has appointed Mr S.K Nair, Senior Counsel to argue the matter. However, he has been discontinued. Learned Counsel Mr Khaire submits that thereafter Mr Aniruddha Mayee, (now Hon'ble Justice) was appointed as Special Counsel by State of Maharashtra and he has appeared before this Tribunal twice.</p> <p>7. By way of last chance, we keep the matter on 8.3.2022 peremptorily for the submissions of the Respondents. If the counsel of the choice is not appointed by the Respondents, the matter will be closed for orders.</p> <p>8. Thus, it appears that this is a third attempt of the Respondents to appoint Senior Counsel when the performance of the learned P.O to defend the case of the Respondents is very much satisfactory and pain stacking before us.</p> <p>9. S.O to 8.3.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A.273/2020</u></p> <p>Shri M.N. Thomke ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents. 2. In the present O.A, the Applicant has challenged the orders dated 21.08.2015 passed by Sub-Divisional Police Officer, Islampur, Sangli thereby treating absence of Applicant from 26.12.2014 to 10.04.2015 for 105 days and further absence from 11.04.2015 to 29.06.2015 for 80 days as Leave Without Pay. The Applicant has made representation against this order before Superintendent of Police, Sangli who rejected it by order dated 23.12.2015. He then again made representation to Special Inspector General of Police who rejected the representation by order dated 04.06.2016. He again made representation to Director General of Police, State of Maharashtra which also came to be dismissed by order dated 30.10.2019. All these orders are challenged in the present O.A. 3. The Respondents in Affidavit-in-reply raised the issue of limitation amongst other grounds. 4. This O.A. is filed on 16.06.2020 challenging aforesaid orders without filing application for condonation of delay. 5. When matter is taken up for hearing, at the outset, the learned P.O. raised objection on the point of limitation. 6. The learned Advocate for the Applicant realizing that O.A. is filed beyond the period of limitation sought time to file application for condonation of delay. 7. Since O.A. is already filed on 16.06.2020 without filing application for condonation of delay and period of near about 2 years is now over, I am not inclined to allow him to file application for condonation of delay at this belated stage. 8. Insofar as point of limitation is concerned, the first order has been passed by SDPO, Islampur, Sangli on 21.08.2015. Being aggrieved by it, the Applicant has preferred appeal/representation to Superintendent of Police, Sangli, which came to be rejected on 23.12.2015. As such, even assuming that order dated 02.08.2015 was appealable, his appeal came to be dismissed on 23.12.2015. He then again approached Special Inspector

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	<p>General of Police by filing representation which came to be rejected on 04.06.2016. As such, the Applicant ought to have filed O.A. within a period of limitation of one year from last order dated 04.06.2016. However, he has filed the O.A. on 16.06.2000 belatedly after four years.</p> <p>9. True, even after rejection of appeal or representation by Special Inspector General of Police by order dated 04.06.2016, the Applicant again approached Inspector General of Police by filing representation, which came to be dismissed on 30.10.2019. However, here limitation will start from the date of order in appeal, which came to be passed on 04.06.2016 by Special Inspector General of Police, Kolhapur. Therefore, order dated 30.10.2019 will not give fresh cause of action to the Applicant so as to revive the period of limitation. Once the statutory period of limitation is over, it cannot be extended or revived by subsequent order passed on representation, which itself was not provided in the statute. Statutory period of limitation commences from the order passed in appeal, if provided in statute. Suffice to say, mere filing of successive appeal or applications not provided in law and order passed therein will not extend or revive the period of limitation.</p> <p>10. As per Section 21 of Administrative Tribunals Act, 1985, the application is required to be made within one year from the date on which order has been made. Where appeal or representation has been made and period of 6 months had expired thereafter without such final order having been made within one year, the application is required to be filed from the date of expiry of said period of 6 months.</p> <p>11. Whereas, in the present case, though order in appeal is passed firstly on 23.12.2015 and secondly on 04.06.2016, the O.A. was not filed within the period of limitation of one year. As such, the O.A. is hopelessly barred by limitation. No explanation for delay is forthcoming. Indeed, no such application for condonation of delay is filed.</p> <p>12. In view of above, the O.A. is dismissed being barred by limitation.</p> <p>13. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 16.02.2022</p> <p>(skw)</p>

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	<p>Date : 16.02.2022</p> <p align="center">O.A.No.149 of 2020</p> <p>A. S. Sonawane & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicants have challenged the order dated 15.02.2020 issued by the Respondent No.2- Sr. Police Inspector, R.A.K. Marg, Police Station, Mumbai whereby directions were given to the Applicants to vacate quarter no.H/3, Naigaon Police Vasahat, Mumbai 12 within two days.</p> <p>3. Perusal of record reveals that the father of Applicant Sanjay Sonawane was serving in police department and died in harness on 04.04.2019. After the death of father, Applicant No.1-Atish Sonawane being son applied for appointment on compassionate ground. Accordingly, he came to be appointed on the post of Police Constable by order dated 05.11.2019. Even after the death of father, the Applicant and his mother continued to stay in quarter. Thereafter he made an application on 17.02.2020 to Respondent No.1 – Commissioner of Police to transfer the quarter in his name in view of Government Circular dated 17.10.2013 which <i>inter-alia</i> states that where heir of a Government servant is appointed in police department, steps for eviction should not be taken. The Government had taken the policy decision by G.R. dated 20.04.2002 for transfer of such quarter in the name of heir where heir is appointed in police department.</p> <p align="right">[P.T.O.]</p>

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	<p>4. However, instead of taking appropriate steps to transfer the quarter in the name of Applicant, the Respondent No.2- Sr. PI, Mumbai had issued impugned notice.</p> <p>5. When the O.A. was filed considering aforesaid fact interim relief was granted and execution of impugned notice has been stayed.</p> <p>6. Learned Counsel for the Applicant submits that in view of the policy decision and G.R. referred to above, the Applicant No.1 is entitled for transfer of quarter in his name.</p> <p>7. Learned Counsel for the Applicant further pointed out that the Applicant No.1 has completed training and after completion of training, he is appointed by order dated 09.01.2021 during pendency of O.A.</p> <p>8. Thus, there is no denying that the Applicant No.1 is appointed as Police Constable and in service. It being so, the Respondent No.1 –Commissioner of Police, Mumbai is required to take decision about the transfer of quarter in his name in accordance to rules.</p> <p>9. Learned Counsel for the Applicant fairly concedes that the Applicant would abide to pay penal charges for intervening period, if found liable for the same till the date of transfer of quarter in his name.</p> <p>10. Learned P.O. also concedes that the Respondent No.1- Commissioner of Police is required to take the decision for transfer of service quarter as claimed by the Applicant.</p> <p>11. In view of above, O.A. is disposed of with direction to Respondent No.1- Commissioner of Police to decide the application made by the Applicant No.1 for transfer of service quarter in his name in accordance to rules within a month from today and the decision as the case may be shall be communicated to the Applicant No.1 within two weeks thereafter.</p> <p>11. No coercive action should be taken till the decision by Commissioner of Police in the matter of transfer of service quarter.</p> <p>12. No order as to costs.</p> <p style="text-align: right;">Sd/- w (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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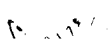
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	<p align="center">O.A. No.672 of 2021</p> <p>A.G. SangarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has basically challenged order dated 11.08.2021 issued by Respondent No.2 – Superintendent of Police, Kolhapur whereby he was transferred from Police Head quarter, Kolhapur to Shahuwadi Police station. In the said cadre the Applicant is shown serving as Assistant Police Inspector (A.P.I.). Indeed, during the pendency of this O.A., Respondent No.2 by order dated 21.10.2021 cancelled the Applicant's transfer order dated 11.08.2021. Thus meaning thereby the Applicant is repatriated to Police Head quarter, Kolhapur and challenge to the transfer order dated 11.08.2021 does not survive.</p> <p>3. However, learned Advocate for the Applicant sought to contend that in past the Applicant was shifted from Armoury branch to Police Head quarter, Kolhapur on alleged default. According to him, since, he his serving in Armoury branch he cannot be shifted or diverted to another Department. In this behalf, he referred to the decision of Hon'ble High Court in P.I.L. No.03/2016, Pandurang R. Gaikwad v/s. State of Maharashtra & Ors. decided on 29.06.2017 wherein direction has been given as under:-</p> <p align="center"><i>"a) In that view of the matter, in the light of Section 28 of the Act, the notification of 1958 would definitely come in the way to command services of the personnels working the Armoury Department in case of a need. Therefore, we decline to intervene with the impugned notification. However, as a matter of caution, we place on record that other than emergency situations, personnels from the department of armoury should not be diverted to any other department on the ground of shortage of man power, etc., which may give rise to decrease in the quality of maintenance department, which is very important for the purpose of having proper armoury in the department.</i></p>

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	<p data-bbox="827 326 1439 369"><i>b) With these observations, petition is disposed of."</i></p> <p data-bbox="749 407 1481 611">4. Learned Advocate for the Applicant pointed out that default which was foundation for shifting the Applicant from Armoury branch to Police Head quarter, Kolhapur is wiped out since the Applicant is exonerated from the said charge.</p> <p data-bbox="749 649 1489 942">5. Perusal of order dated 15.09.2021 issued by Special Director General of Police, Kolhapur reveals that the punishment of withholding one increment imposed by the disciplinary authority by order dated 07.01.2021 has been set aside. On this background, learned Advocate for the Applicant submits that now the Applicant is required to be reposted in his original branch i.e. Armoury branch.</p> <p data-bbox="760 980 1497 1350">6. Now, turning to the prayer clause the Applicant has challenged transfer order dated 11.08.2021 which has been cancelled by Respondent No.2 by order dated 21.10.2021. Insofar as 2nd relief of cancellation of order dated 10.07.2019 is concerned, it is about shifting of the Applicant from Armoury branch to Police Head quarter, Kolhapur on the ground of default. Now ground of default no more survives in view of exoneration from the charge in appeal.</p> <p data-bbox="768 1388 1505 1592">7. In view of above, if the Applicant's claim to be retained in Armoury branch he need to make detail representation to the Respondent No.2 on which appropriate decision will be taken by the concerned authority.</p> <p data-bbox="776 1630 1513 1872">8. In view of above, O.A. is disposed of with liberty to the Applicant to make representation to the Respondent No.2 for reposting in Armoury branch, which would be considered by the Respondent No.2 in accordance to Rules keeping in mind the directions given by the Hon'ble High Court in <i>P.I.L. No.03/2016 (cited supra)</i>.</p> <p data-bbox="784 1911 1520 2127">9. The Applicant shall make representation to the Respondent No.2 within a month and if the representation is made within a stipulated period, Respondent No.2 shall decide the representation made by the Applicant within a month from the date of receipt of the representation.</p> <p data-bbox="791 2165 1528 2280">10. Decision as the case may be, shall be communicated to the Applicant within 2 weeks from the date of decision.</p> <p data-bbox="791 2331 1144 2369">11. No order as to costs.</p> <p data-bbox="1183 2305 1379 2484" style="text-align: right;">  Sd/- (A.P. Kurhekar) Member (J) </p> <p data-bbox="791 2484 846 2509">NMN</p>


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	<p>Date: 16.02.2022</p> <p align="center">O.A. No.531 of 2021</p> <p>P.S. KhutemateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent. It is taken on record.</p> <p>3. S.O. to 28.02.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

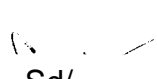
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	<p>Date: 16.02.2022</p> <p align="center">O.A. No.395 of 2021</p> <p>A.T. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent. It is taken on record.</p> <p>3. S.O. to 09.03.2022.</p> <p align="right">  Sd/- vv (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

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	<p><u>16.02.2022</u></p> <p style="text-align: center;"><u>C.A 4/2022 in 613/2018</u></p> <p>Shri Amit V. Mahajan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge , learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that she wants time to implement the order of this Tribunal dated 11.1.2019.</p> <p>3. Learned counsel for the applicant raised the objection that there is a delay in implementing the order of this Tribunal.</p> <p>4. Learned P.O further state that fresh proposal is sent on 18.1.2022 and she seeks four weeks time to implement the order of this Tribunal dated 11.1.2019.</p> <p>5. Respondents are granted four weeks' time by way of last chance to implement the order of this Tribunal dated 11.1.2019.</p> <p>6. S.O to 15.3.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">Akn</p>

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	<p align="center"><u>16.02.2022</u></p> <p align="center"><u>O.A 44/2022</u></p> <p>Shri C.G Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant by way of interim relief sought direction that Respondent no. 2 may be directed to provide copy of the minutes of the D.P.C meeting held for issuing impugned order dated 14.10.2021.</p> <p>3. Learned P.O request for time.</p> <p>4. S.O to 9.3.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p style="text-align: center;">Date : 16.02.2022</p> <p style="text-align: center;">O.A.No.515/2021 with O.A.No.516/2021 with O.A.No.565/2021 with O.A.No.566/2021 with O.A.No.1233/2019</p> <p>Dr. S.R. Burute (O.A.515/2021) Dr. S.S. Desai (O.A.516/2021) Dr. R.R. Bhosale (O.A.565/2021) Dr. P.A. Patil (O.A.566/2021) Dr. S.B. Satpute & Ors. (O.A.1233/2019) <div style="text-align: right;">...Applicants</div> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.R. Kulkarni, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By way of last chance adjourned to 16.03.2022 for filing affidavit-in-reply.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member(A)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p style="margin-top: 20px;">prk</p> </p>

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	<p>Date : 16.02.2022</p> <p>M.A.No.91 of 2022 in O.A.No.1355 of 2019</p> <p>D.V. ThoratApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Vivek Patil & Asso., learned Advocate for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Private Respondent No.44.</p> <p>2. Earlier by way of M.A.No.481/2021 the Respondent-State had applied for the extension of time to comply the order dated 08.12.2020 passed in O.A.No.1355/2019 wherein M.A.No.481/2021 was disposed of granting extension of time till 31.01.2022 for compliance.</p> <p>3. Now the M.A.No.91/2022 is moved by the Applicants for implementation of the order dated 08.12.2000. The learned Advocate for the applicant has pointed out though time extended time is over on 31.01.2022, yet neither the order is not complied with nor the State has moved for further extension, so it is obligatory on the part of Respondents to comply the order of the Tribunal as the issue is pending since many years which is regarding the genuineness of the certificate which is produced at the time of selection of the applicant who got appointment in the year 2009. Hence it is expected that the Respondent-State should comply the order on top priority basis as these present applicants (appox. 93 applicants) are deprived of their promotions and other benefits.</p> <p>4. Private Respondent No.44 files affidavit-in-reply. Taken on record. Copy be served upon learned P.O. and learned Advocate for the Applicant.</p> <p>5. At the request of learned P.O. time granted to the State to inform the Tribunal about the time required for implementation of the order dated 08.12.2020 passed by this Tribunal in O.A.No.4 of 2022 and the Department is going to maintain the seniority of the Applicants who are working in Pune Division and the similarly situated other persons.</p> <p>6. Adjourned to 17.02.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>CA No.20/2021 in OA No.55/2018 & OA No.56/2018</u></p> <p>A.T. Mane N.B. Kamble ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In view of the pendency of writ petition before the Hon'ble High Court, challenging the order of this Tribunal, we adjourn the matter for eight weeks.</p> <p>3. S.O. to 11.4.2022.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) 16.2.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- </p> <p>(Mridula Bhatkar, J.) Chairperson 16.2.2022</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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


of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.141 of 2022</u></p> <p>V.S. Tengale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. 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 24.2.2022. 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 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.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p align="center"> Sd/- Sd/-  (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 16.2.2022 16.2.2022 </p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.127 of 2022</u></p> <p>S.P. Kare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this case the applicant seeks to challenge the show cause notice dated 13.1.2022 issued by the respondent under which he intends to cancel the Sports Validity Certificate of the applicant since the earlier order dated 6.5.2021 pertaining to cancellation of the Sports Certificate passed by him was found to be in violation of the principles of natural justice.</p> <p>3. Ld. CPO submits to the order of the Tribunal.</p> <p>4. We have examined the show cause notice dated 13.1.2022 issued by the Deputy Director, Sports and Youth Services, Pune Division, Pune and we find the reasons for cancellation are not clearly mentioned in the said show cause notice.</p> <p>5. Hence, we direct the Deputy Director, Sports and Youth Services, Pune Division, Pune to withdraw the show cause notice dated 13.1.2022 and may issue a fresh show cause notice specifically mentioning tentative reasons for cancellation of the Sports Validity Certificate. OA disposed off accordingly.</p> <p align="center">Sd/- (Medhá Gadgil) Member (A) 16.2.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.2.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.62 of 2022</u></p> <p>S.K. Gulhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.K. Hande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Applicant has filed this OA seeking directions to the respondents to decide his appeal dated 25.10.2021 (Exh.H page 64 of OA) pending before respondent no.2 i.e. Divisional Commissioner, Pune within reasonable time.</p> <p>3. Ld. PO submits that appeal is pending from 25.10.2021 and as per rules, six months time is provided for deciding the appeal.</p> <p>4. In view of the above, we direct respondent no.2 to decide the appeal of the applicant dated 25.10.2021 within a period of two months. OA disposed off accordingly.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- (Medha)Gadgil Member (A) 16.2.2022 (sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 16.2.2022</p> </div> </div>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.02.2022</p> <p align="center">M.A. No.593 of 2021 with M.A. No.600 of 2021 in O.A. No.432 of 2021</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus C.S. Gaikwad (Org. Appl.)Resps.</p> <ol style="list-style-type: none"> 1. Heard Smt. Archana B.K., learned Presenting Officer for the Applicants (Org. Respondents) and Shri C.T. Chandratre, learned Advocate for the Respondent (Org. Applicant). 2. These M.As are filed for extension of time and condonation of delay to implement the order passed by this Tribunal on 15.07.2021. 3. On 15.07.2021 this Tribunal disposed of O.A. No.432/2021 with direction to Respondent No.2 & 4 to finalize the pension process and to release retrial benefits in terms of punishment imposed in one D.E. by order dated 19.03.2021. When the matter was disposed of by Tribunal on 15.07.2021, statement was made by Shri Rajendra Mahamuni, Asst. Administrative Officer, Divisional Joint Director of Agriculture, Thane that no other D.E. is pending against the Applicant. It is upon that statement the Tribunal has disposed of O.A. No.432/2021 by giving the directions as stated above. 4. However, after disposal of O.A. No.432/2021, Department noticed that one more D.E. is pending against the Applicant which was initiated by charge-sheet dated 10.08.2017 by Divisional Commissioner, Nagpur. 5. Since, one more D.E. initiated by charge-sheet dated 10.08.2017 found pending, Department faced difficulty in implementing the order passed by the Tribunal in O.A. No.432/2021, and therefore filed this M.A. for extension. <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. However, the Applicant has challenged initiation of D.E. issued by charge-sheet dated 10.08.2017 by filing O.A. No.988/2021 and the same is pending before Division Bench. That O.A. is filed on the ground that the initiation of D.E. is illegal in view of Rule 27 of M.C.S. (Pension) Rules, 1982.</p> <p>7. This, it appears that one more D.E. is pending which has been initiated after the date of retirement of the Applicant and its legality is subjudice.</p> <p>8. In view of above, the Applicant will not be entitled to get retiral benefits till the decision in the O.A. No.988/2021. This being the position, these M.As are required to be disposed of.</p> <p>9. Learned Advocate for the Applicant as well as Learned P.O. fairly concedes that there is no point to keep these M.As pending, and therefore consented for its disposal with direction that the Applicant retiral benefits be paid in accordance to law if found entitled subject to outcome of O.A. No.988/2021.</p> <p>10. These M.As are disposed of with direction that the issue of entitlement of the Applicant to the retiral benefits shall be finalized within 1 month from the date of decision of O.A. No.988/2021. It would be subject to outcome of that O.A.</p> <p>11. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.02.2022</p> <p align="center">O.A. No.19 of 2022</p> <p>P.D. KedarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 02.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.02.2022</p> <p align="center">O.A. No.1021 of 2021</p> <p>M.D. BhamareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. No separate Reply is filed on behalf of Respondent No.1.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder, if any.</p> <p>5. S.O. to 02.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.02.2022</p> <p align="center">O.A. No.797 of 2021</p> <p>B.D. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply as most last chance.</p> <p>3. S.O. to 02.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.02.2022</p> <p align="center">O.A. No.794 of 2021</p> <p>D.F. Fernandes & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Rejoinder is under preparation and the same will be filed during the course of the day. Statement is accepted. It be taken on record if filed today or by tomorrow in the Office.</p> <p>3. Copy of same be served upon other side.</p> <p>4. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder, if any.</p> <p>5. S.O. to 02.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.02.2022</p> <p align="center">O.A. No.590 of 2021</p> <p>P.B. KaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Rejoinder but the same is not filed.</p> <p>3. On request of learned P.O. two weeks time is granted to file Rejoinder as last chance.</p> <p>4. S.O. to 02.03.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 16.02.2022

O.A. No.149 of 2022

S.K. NaravaneApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.D. Kango, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 16.03.2022.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 16.03.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

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

Tribunal's orders

Date: 16.02.2022

O.A. No.138 of 2022

D.B. PawarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 16.03.2022.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 16.03.2022.

Sd/-

(A.P. Kurhekar)
Member (J)