

**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: 16.03.2021</p> <p>O.A. No.45 of 2021</p> <p>H.D. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.2. Learned Advocate for the Applicant submits that he will file Rejoinder within a week.3. One week time is granted for filing Rejoinder.4. S.O. to 25.03.2021. <p>Sd/-</p> <p>(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: 16.03.2021

M.A. No.115 of 2021 in O.A. No.115 of 2021

H.C. SalokheApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. N.S. Sharma, learned Advocate for the Applicant and Ms. N.G. Gohad., learned Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 15.04.2021.
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 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 15.04.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 16.03.2021</p> <p align="center">O.A. No.161 of 2021</p> <p>S.R. KoliApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.1. 3. No Reply on behalf of Respondent Nos.2 & 3. 4. Learned Advocate for the Applicant seeks one week time for filing Rejoinder. 5. Respondent Nos.2 & 3 are at liberty to file Reply on next date, if any they desire. 6. S.O to 25.03.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.03.2021</p> <p align="center">O.A. No.584 of 2020 with O.A. No.587 of 2020</p> <p>B.S. Bhange H.G. VijapureApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate holding for Shri L.S. Deshmukh, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Shri M.B. Kadam submits that Advocate Shri L.S. Deshmukh is unwell and requested for Adjournment.</p> <p>3. S.O to 30.03.2021.</p> <p align="right">Sd/- _____ (A.P. Kurhekar) Member (J)</p> <p>NMN</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">Date: 16.03.2021</p> <p align="center">O.A. No.1220 of 2019</p> <p>R.R. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.L. Rajguru, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri D.B. Khaire, learned Advocate for the Respondent No.4.</p> <p>2. Matter is already proceeded without Reply against Respondent Nos.1 to 3.</p> <p>3. Today, learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant to the Reply filed by Respondent No.4. It is taken on record.</p> <p>4. Adjourned for hearing at the stage of admission.</p> <p>5. S.O. to 05.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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>Date: 16.03.2021</p> <p align="center">O.A. No.545 of 2020</p> <p>B.A. WaghmareApplicant 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 Advocate for the Respondents.</p> <p>2. On request of the Advocate for the Applicant two weeks time is granted for filing Rejoinder.</p> <p>3. S.O. to 30.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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">Date: 16.03.2021</p> <p align="center">O.A. No.302 of 2020</p> <p>B.M. ShivdasaniApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. Adjourned to 19.04.2021 for Final Hearing.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.03.2021</p> <p align="center">O.A. No.367 of 2020</p> <p>Dr. A.R. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaiwad, learned Presenting Officer holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for direction to count period of Ad-hoc service for grant of benefits under A.C.P.S. on the line of decision rendered by this Tribunal in O.A. No.43/2018 decided on 06.03.2020.</p> <p>3. Today, learned Advocate for the Applicant has tendered order passed by Government dated 10.03.2021, whereby the claim of the Applicant is accepted in terms of the direction issued by the Tribunal in this O.A. on 23.02.2021.</p> <p>4. Thus the grievances of the Applicant is addressed being similarly situated person in terms of decision given by the Tribunal in O.A. No.43/2018.</p> <p>5. In view of above, O.A. is disposed of with direction to the Respondent to release monetary benefits in terms of Government order dated 10.03.2021 within two months from toady.</p> <p>6. No order as to costs.</p> <p align="right">Sd/- WV (A.P. Kurhekar) Member (J)</p> <p align="right">[P.T.O.]</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>Date: 16.03.2021</p> <p align="center">O.A. No.725 of 2020 with O.A. No.737 of 2020 With O.A. No.738 of 2020</p> <p>S.R. GaudApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, and Shri D.B. Khaire, learned Special Counsel along with Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. All these matters are adjourned to 30.03.2021 for filing Reply. However, today it is taken on board, in view of circulation taken up by learned Advocate for the Applicant. 3. Shri A.V. Bandiwadekar submits that the Applicant is subjected to prolong suspension and therefore there is urgency in the matter. 4. Shri D.B. Khaire, learned Special Counsel submits that they will file Reply within a week in O.A. No.725/2020. 5. In view of above, matter are pre-poned and to be kept on 23.03.2021 for filing Reply in O.A. No.725/2020. 6. S.O. to 23.03.2021. <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member (J)</p> <p>NMN [P.T.O.]</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>Date: 16.03.2021</p> <p align="center">O.A. No.376 of 2020</p> <p>M.S. DhereApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In O.A. the Applicant has challenged order dated 06.02.2020 whereby he is posed as Desk Officer, M.P.S.C., Mumbai. He contend that as per advertisement, he had applied for the post of Section Officer, Mantralaya, Mumbai, but by order dated 06.02.2020 issued by the Government he is appointed on the post not of Section Officer in Mantralaya but as Desk Officer in M.P.S.C.</p> <p>3. Thus it is explicit that dispute raised in O.A. is not about posting but it pertains to appointment itself, therefore, O.A. pertains to Division Bench.</p> <p>4. Registrar is directed to look into the matter and place it before Division Bench.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 16.03.2021</p> <p align="center">O.A. No.490 of 2020</p> <p>S.R. PatilApplicant 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 Reply.</p> <p>3. S.O. to 05.04.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member (J)</p> <p>NMN</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">Date: 16.03.2021</p> <p align="center">O.A. No.503 of 2020</p> <p>V.S. PandhareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant one week time is granted for filing Rejoinder.</p> <p>3. S.O. to 23.03.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

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	<p>Date: 16.03.2021</p> <p>O.A. No.522 of 2020</p> <p>S.S. ChewaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Applicant and his Advocate both are absent.2. Ms. N.G. Gohad, learned Presenting Officer for the Respondents is present.3. No Rejoinder is filed.4. Adjourned to 26.03.2021 for Final Hearing. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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>Date: 16.03.2021</p> <p align="center">O.A. No.594 of 2020</p> <p>N.R. GaykarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing Reply, but the same is not filed.</p> <p>3. In view of above matter to be kept for hearing at the stage of admission without Reply.</p> <p>4. S.O. to 05.04.2021.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.03.2021</p> <p>O.A. No.723 of 2020</p> <p>A.M. HateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted for filing Reply.</p> <p>3. S.O. to 25.03.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.03.2021</p> <p align="center">O.A. No.733 of 2021</p> <p>S.H. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. 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 the Respondent. It is taken on record.</p> <p>3. Two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 06.04.2021.</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

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Original Application No. of 20

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.03.2021</p> <p>O.A. No.12 of 2021</p> <p>P.M. AutiApplicant 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. On request of learned Advocate for the Applicant, one week time is granted for filing Rejoinder.</p> <p>3. S.O. to 25.03.2021.</p> <p style="text-align: right;">^ Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 16.03.2021</p> <p align="center">R.A. No.12 of 2017 in O.A. No.808 of 2016</p> <p>J.M. GuravApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant and his Advocate Shri D.H. Pawar both are absent.</p> <p>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</p> <p>3. This R.A. is filed in respect of order passed by this Tribunal on 16.03.2017 in O.A. No.808/2016.</p> <p>4. Matter is for hearing of R.A. However, Applicant and his Advocate both are absent.</p> <p>5. In view of above adjourned to give opportunity to the Applicant. ^{DN}</p> <p>6. S.O. to 01.04.2021.</p> <p align="right">Sd/- ^{WV} (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p>LATER ON</p> <p>7. Applicant appeared at 04.30 p.m. and requested for permission to file Additional Affidavit and to hear the matter on next date.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="776 453 1332 496">8. Allowed to file Additional Affidavit.</p> <p data-bbox="776 542 1356 586">9. Adjourned to 01.04.2021 for hearing.</p> <p data-bbox="1199 624 1270 687">Sd/-</p> <p data-bbox="1113 751 1317 828">(A.P. Kurhekar) Member (J)</p> <p data-bbox="776 853 823 879">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center">Date: 16.03.2021</p> <p align="center">O.A. No.716 of 2020</p> <p>D.L. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. In O.A. the Applicant has raised grievances about withholding of retrial benefits except G.P.F. which has been paid to him. The Applicant stands retired on 31.10.2020 as P.S.I. However, except G.P.F other benefits are not paid.</p> <p>3. Indeed, in terms of provision of M.C.S. (Pension) Rules, 1982, Respondent No.2 – Commissioner of Police, was under obligation to ensure updating of service book and to prepare pension papers well in advance and the process ought to have been started before six months of retirement. However, in present matter though the period of more than six months after retirement is over, except G.P.F. other benefits are not paid, even provisional pension is not paid. Suffice to say, negligence and want of due clear on the part Respondent Nos2 to 5 is obvious. It appears that, pension is not paid only because of administrative lapses.</p> <p>4. Learned Advocate for the Applicant submits that Applicant is neither facing any D.E. nor there is any legal hurdle for withholding retrial benefits.</p> <p>5. Though enough time is granted for filing Reply same is not filed. Learned P.O. again requested for grant of time to file Reply.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram,
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6. Indeed, if there is no legal hurdle for grant of retrial benefits then the question of filing Reply doesn't arise. Respondent Nos.2 to 5 were expected to take note on filing of this O.A. and should have speed up the process of grant of retrial benefits to the Applicant immediately. However they are too insensitive to consider the hardship faced by pensioner.

7. In view of above, O.A. deserves to be disposed of with direction to the Respondent Nos.2 to 5 to release retrial benefits to the Applicant as per his entitlement in Rules.

8. O.A. is accordingly disposed of with direction to Respondent Nos.1 to 5 who are jointly and severally liable to ensure to release all retrial benefits of the Applicant, if there is no legal hurdle for the same, within one month from today.

9. The Applicant is at liberty to avail legal remedy in respect of interest claim on belated payments.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

**ORIGINAL APPLICATION NO.664 OF 2013
IN
MISCELLANEOUS APPLICATION NO.303 OF 2016**

A.H. Kaktikar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

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

CORAM : Justice Mridula Bhatkar, Chairperson
Shri P.N. Dixit, Vice-Chairman

DATE : 16.03.2021.

PER : Justice Mridula Bhatkar, Chairperson

O R D E R

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

2. This O.A. is pending since 2013. The applicant as on today is working Forest Guard at Forest Kolhapur, at Sawantwadi, Sindhudurg has earlier worked as a Hawaldar in Indian army for 16 years i.e. from 28.10.1993 till 31.12.2009. Thereafter he applied in response to the advertisement of August 2011 issued by the respondent no.2 for filing the post of Forest Guard for Sawantwadi

Forest Division, District Sindhudurg. The applicant applied in the category of ex-servicemen and he was appointed as Forest Guard from the category of ex-servicemen on 21.01.2011. He was sent for training at forest training school at Shahapur on 06.05.2013. The applicant has submitted required documents for verification in Oct, 2011 after his appointment. The Respondent found that the applicant while filing up the form for giving information of this family, especially, the number of children, he made affidavit that he has 3 children. As per the policy of the Small Family Policy of the State of Maharashtra, the Maharashtra State has issued the rules Gazette on 28.04.2005. The said rules were issued by the State of Maharashtra under provision to Article 309 of the Constitution of India 1949 with a view to control the population, small family policy was implemented. As a part of this policy one affidavit is taken by the candidate who aspires to enter in Government Service wherein the applicant is required to make declaration about the number of the children which should not be more than 2 and if found more than 2, then he is not considered eligible to get employed in the Government Service. Thus, the Government servant in Maharashtra having more than 2 children on the date of commencement of these rules is not qualified. However there are certain exceptions which are also mentioned under Rule 5 and Rule 6 of the said policy.

3. As per Rule 6 the case of the Government employees who is having more than two children, who is in the Government Service can be considered and the Rules can be relaxed by the Government if just and reasonable reasons are found. Thus the powers to relax the Rules vest with the Government. The applicant has annexed a letter dated 12.09.2013 issued by Desk Officer, Shri Sanjay Pawar, Revenue and Forest Department informing that the application given by the applicant for relaxing the policy and make him exception to it is considered, however it is rejected.

4. The learned Counsel Mr. Lonkar has pointed out that this is not the decision taken by the Government as contemplated under Rule 6 of the said policy of 2005. The learned P.O. on considering to the submissions of learned Advocate pointed out that he has sent a letter on 05.12.2012 to the Principal Secretary, Forest and Revenue Department, Mantralaya, Mumbai, wherein he has pointed out that the applicant has submitted the representation dated 22.03.2016 and no decision is taken by the State of Maharashtra on this same and therefore the applicant has moved the present M.A. i.e. 303/2016

5. On perusal of the said letter dated 05.12.2012 sent by the learned C.P.O. it appears that this Tribunal has directed the respondents to produce the relevant file on next date 22.02.2016 and there is a specific direction that the representation is to be decision

at the Minister level as per business rule of the Government of Maharashtra.

6. We would like to point out that by order dated 23.07.2013 this Tribunal has granted interim relief in terms of prayer clause 15(b) i.e. not to remove him from the service during the pendency of the hearing and final disposal of the present O.A. and the order dated 18.03.2013 be stayed.

7. Thus, the applicant is still in service as Forest Guard at Sawantwadi. We are surprised to come across the in action on the part of the Government in deciding the said representation dated 18.07.2013 and so also not replying the letter written from C.P.O. office dated 05.12.2016, thus more than 4 years have passed and still the reply and action taken from the Government is awaited. It is the short natter and can be disposed off. We hereby direct the learned P.O. to call the concerned person from the office of Revenue and Forest Department.

8. S.O. to 18.03.2021 (P.H.)

Sd/-

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

prk

Sd/- *11.3*

Mridula
(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
	<p>Date : 16.03.2021</p> <p align="center">O.A.No.460 of 2020</p> <p>D.J. Ambilwade ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. files affidavit-in-reply, dated 16.03.2021 on behalf of Respondent Nos.1 and 2 of Shri Karuna B. Surwade, Chief Administrative Officer, office of Commissionerate of Health Services, Mumbai. The same is taken on record. Copy is served to Applicant in person.</p> <p>3. The applicant, if wants to file the rejoinder, it be filed on or before 30.03.2021 and copy of the same be given to learned C.P.O.</p> <p>4. S.O. to 17.04.2021.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.As. No.88 of 2020 with O.A. No.234 of 2019</u></p> <p>Dr. Vilas R. Bhailume ..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. Ld. PO seeks one weeks time to file reply.</p> <p>3. S.O. to 23.3.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 16.3.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 16.3.2021</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.87 of 2020</u></p> <p>R.V. Kardak & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 4 and Shri C.T. Chandratre, learned Advocate for Respondents No.5 to 8.</p> <p>2. Ld. PO files reply on behalf of respondent no.1 and the same is taken on record.</p> <p>3. Ld. Advocate for applicants seeks two weeks time to file rejoinder. Ld. Advocate for respondents no.5 to 8 seeks two weeks time to file reply.</p> <p>4. S.O. to 5.4.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 16.3.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 16.3.2021</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>OA.1002/2019, OA.1003/2019 with MA.609/2019, OA.1004/2019, OA.1005/2019, OA.1006/2019 with MA.611/2019</u></p> <p>D.C. Singnath & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for the applicants.</p> <p>2. Ld. PO states that replies are already filed.</p> <p>3. S.O. to 5.4.2021.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 16.3.2021 16.3.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1115 of 2019</u></p> <p>S.B. More ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. Neelima Gohad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks two weeks time to file reply.</p> <p>3. S.O. to 5.4.2021.</p> <p align="center">Sd/- / Sd/- (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 16.3.2021 16.3.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1022 of 2019</u></p> <p>A.S. Sonawane & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks three weeks time to file sur-rejoinder.</p> <p>3. To be tagged with OA No.1019 of 2019.</p> <p>4. S.O. to 5.4.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 16.3.2021</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 16.3.2021</p> <p>(sgj)</p>

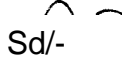

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.132 of 2020</u></p> <p>C.V. Rajput ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. CPO files reply on behalf of respondent no.3 and the same is taken on record.</p> <p>3. Ld. Advocate for the applicant seeks time to file rejoinder.</p> <p>4. S.O. to 5.4.2021.</p> <p align="center">  Sd/- (P.N. Dixit) Vice-Chairman 16.3.2021 (sgj) </p> <p align="center">  Sd/- (Mridula R. Bhatkar, J.) Chairperson 16.3.2021 </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.03.2021</u></p> <p><u>O.A 140, 147/2021 with O.A 1056/2019 with M.A 329/2020 and O.A 163/2021</u></p> <p>Shri S.S Atkekar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar & Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Applicant Shri G.A Agale in O.A 1056/2019 is present in person. He submits that he has approached Hon'ble Bombay High Court and obtained orders of stay in respect of promotion till 3.5.2021. He seeks time to bring on record copy of the order of the Hon'ble Bombay High Court. Permission granted.</p> <p>3. Learned C.P.O seeks time to file affidavit in reply in O.A 140, 147 and 163/2021.</p> <p>4. S.O to 6.4.2021.</p> <p style="text-align: center;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 650/2020

Shri G.G Barathe ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned P.O files affidavit in reply.

3. Learned counsel for the applicant seeks time to file rejoinder

4. S.O to 19.4.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 700/2020

Shri S.A Deokar & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants, Ms Swati Manchekar, learned C.P.O for the Respondents 1 to 4 and Shri B.A Bandiwadekar, learned advocate for Respondents no. 11 to 14.

2. Learned C.P.O files affidavit in reply. Same is taken on record. Copy is handed over to the learned counsel for the applicants and also the learned counsel for private Respondents.

3. Shri Bandiwadekar, learned counsel for private Respondents seeks two weeks to file reply.

4. S.O to 5.4.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 705/2020

Shri A.T Sakore ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Balasaheb Deshmukh, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents

2. Learned P.O seeks three weeks' time for filing reply.

3. Adjourned to 6.4.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 10/2021

Shri N.N Ghode ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O seeks four weeks' time as no instructions have bene received.

3. S.O to 19.4.2021.

M
Sd/-

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

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 1235/2019, 111, 224, 215, 443/2020, 42/2021, 1011/2019, 1012/2019, 05/2020, 98/2020, 19/2020, 127/2020 and 161/2020

Shri M.K Shivsaran & Others ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None present for the applicants. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O seeks three weeks for filing reply in the matter.

3. As per her request adjourned to 19.4.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 88, 89, 90 and 114/2021

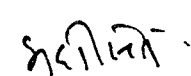
Shri U.V Deokule & Ors ... Applicants
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O seeks three weeks' time for taking instructions in continuation of order of this Tribunal dated 9.2.2021.

3. Adjourned to 25.3.2021.


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

Akn

Sd/-
Sd/-
Registrar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 97/2020

Shri P.C Kumbhar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned counsel for the applicant mentions that applicant appeared before the Respondents through Video Conference in the first week of February, 2021.

3. Learned P.O seeks two days' time to submit about the progress in the matter.

4. S.O to 19.3.2021.

Sd/-

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

Akn

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 16/2021

Shri M.M Dawane & Ors ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kaustub Gidh holding for Shri Kranti L.C, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned advocate for the applicants mentions that he is no more representing the applicants

3. Learned C.P.O mentions that applicants have filed another O.A 158/2021. It is placed on 24th March, 2021.

4. Present O.A be tagged along with O.A 158/2021 and place the same on 25.3.20231.

Sd/-

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

Akn

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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16.03.2021

O.A 37/2020

Shri T.B Naik ... Applicant

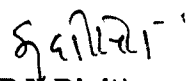
Vs.

The State of Maharashtra & Ors ... Respondents

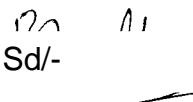
1. Heard Shri B.A Bandiwadeakr, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O seeks adjourned by four weeks as no instructions have been received.

3. S.O to 8.4.2021.


(P.N Dixit)
Vice-Chairman


Sd/-


Sd/-
Hatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 16.03.2021

O.A.No.509 of 2015

P.G. Kolapte ... Applicant
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. N.G. Gohad, Presenting Officer for the Respondents.

2. In this matter, the concerned officer i.e. Respondent No.2, working in the office of General Administration Department, Desk no.16-B, is directed to file the affidavit-in reply within two weeks i.e. till 30.03.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

I N

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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.293 of 2010</u></p> <p>S.S. Galinde ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri S.S. Galinde, Applicant in person and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The applicant who is present in the Tribunal submits that he wants to change his advocate. He tenders a letter dated 16.3.2021. The same is taken on record and marked as Exhibit '1' for identification.</p> <p>3. S.O. to 5.4.2021.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(P.N. Dixit) Vice-Chairman 16.3.2021</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula R. Bhatkar, J.) Chairperson 16.3.2021</p> </div> </div>

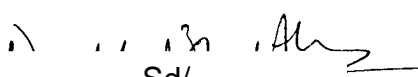
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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I N

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.742 of 2009 with O.A. No.1180 of 2010</u></p> <p>S.P. Dhane & Ors. (OA.742/2009) R.M. Ingale & Ors. (OA.1180/2010) ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The above two OAs along with OA No.367 of 2012 were adjourned sine die by order of this Tribunal dated 24.11.2014. By this order the Division Bench specifically noted that first significant judgment in the field was in W.P. No.2207 of 1989 (Shri Ganpati B. Mangale Vs. State of Maharashtra & Ors. dated 30.4.1991) whereby 343 writ petitions came to be decided by Division Bench of the Hon'ble High Court. Thereafter on the point of seniority and promotions in LCDE this Tribunal decided OA No.1113 of 2001 (Shri Shirish Sawant & Ors. Vs. State of Maharashtra) on 8.2.2002. Thus re-fixation of seniority in accordance with the directions in the judicial pronouncement came to be given.</p> <p>3. Ld. Advocate for the applicants states that W.Ps. No.7270 of 2010 and 7281 of 2010 are filed by the State in the above matters.</p> <p>4. S.O. to 30.3.2021.</p> <p style="text-align: center;">Sd/-  (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 16.3.2021 16.3.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>C.A. No.64 of 2012 in O.A.1330 No. of 2009</u></p> <p>Dr. Mrinal M. Bapat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. None for applicant.</p> <p>2. Ld. PO informs that in this matter W.P. No.5747 of 2013 along with Civil Application No.237 of 2015 were filed by the State thereby challenging the order dated 4.6.2012 passed by this Tribunal in the above OA directing to grant the benefits of parity. The Division Bench of the Hon'ble Bombay High Court by order dated 17.7.2018 dismissed the writ petition. Ld. PO submits that she will obtain instructions whether the orders of the Tribunal were implemented or not.</p> <p>3. S.O. to 18.3.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 16.3.2021</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 16.3.2021</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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	<p align="center"><u>O.A. No.61 of 2021</u></p> <p>S.S. Choudhari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. CPO this matter is taken on board. Due to oversight there is a typographical error in order dated 12.3.2021 in adding the word 'thereafter' in wrong place in para 3 of the order dated 9.3.2021 in the above OA.</p> <p>3. After present correction, para 3 of the order dated 9.3.2021 should read as under:</p> <p>“3. In view of this, nothing remains in this matter. We dispose off the matter with directions to the enquiry officer to complete the enquiry within six weeks and report be sent to the concerned officer and preferably thereafter it is to be concluded within two months. OA disposed off accordingly.”</p> <p>4. Correction be carried out accordingly.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 16.3.2021 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 16.3.2021</p>

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	<p align="center"><u>O.A. No.944 of 2004</u></p> <p>Govardhan R. Gharule ..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 matter the applicant challenges the punishment order dated 15.7.2003 of reduction to the basic pay of Police Constable for a period of five years. He also challenges the order dated 22.12.2003 of treating the period of suspension as such.</p> <p>3. Affidavit in reply is filed on 23.2.2005 by Shri D.G. Hiremani. However, we have come across the order dated 15.3.2007 of this Tribunal where it is mentioned that the matter is kept in sine die list as the criminal case is pending before the Sessions Judge, Solapur.</p> <p>4. S.O. to 8.4.2021.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 16.3.2021 16.3.2021</p> <p>(sgj)</p>

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16.03.2021

O.A 438/2020 with M.A 208/2020

Shri S.R Dumare ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan , learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned counsel submits that Circular dated 18th February, 2021 states that all vacancies should be filled in. She mentions that fresh instructions should be obtained from Respondents.

3. Learned C.P.O mentions that she has no fresh instructions in the matter after filing reply dated 10.11.2020.

4. Learned C.P.O may seek fresh instructions if any.

5. S.O to 8.4.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 16.03.2021

O.A.No.342 of 2020

R.M. Kale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Counsel submits that she has obtained instructions telephonically whether the applicant has received payment of the period for which she was out of service and it is confirmed by the applicant that she has received payment as submitted by learned C.P.O..

3. The learned Counsel submits that now the applicant has no grievance. In view of this nothing remains in the matter and the matter is disposed of.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 16.03.2021

C.A.No.11 of 2021 in O.A.No.567 of 2020

S.P. Jadhav ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Pursuant to the order dated 12.03.2021 the personal affidavit of Additional Chief Secretary (Home) Department, Mantralaya of Shri Manu Kumar Shrivastava dated 16.03.2021 was filed. Mr. Shrivastava the Additional Chief Secretary (Home) has mentioned that he has taken charge on 28.02.2021 so he was not aware of the pending proceedings of this Tribunal and the Hon'ble High Court. He submitted that the order of the Tribunal were complied with by order dated 10.03.2021 and the order of the applicant transferring him to Nandurbar from Wakad is cancelled and he is posted back to Wakad Division Assistant Commissioner of Police, Pimpri Chinchwad.

3. The applicant has taken charge on 14.03.2021 and it is further mentioned that proposal of posting Respondent no.4 is submitted to the Government on 12.03.2021 and it is still pending. It is further submitted that there is no deliberate inaction on the part of the Home Department and has tendered the apology. The affidavit is accepted as the order is cancelled.

4. The learned Counsel submits that the applicant was asked to join at Wakad Division on 13.03.2021 and he therefore immediately returned from the funeral of relative which was at Gaganbawada and reported the duty on 13.03.2021 at 4.00 p.m. However he was not allowed to join and he was asked to join the control room and he was given the order of joining on 14.03.2021 at 8.30 a.m.

5. The learned C.P.O. on our query and after telephonic information submits that there is misunderstanding of the communication and those being the Saturday and Sunday and there was some festival for which the police were required to attend bandobast and therefore the concerned officers were not available and so he was given the duty report on 14.03.2021 at 8.30 a.m.

6. Now we put off this matter here. Contempt Application is disposed off.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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16.03.2021

O.A*494/2020

Shri S.K Sabale ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned P.O files affidavit in reply. Copy is tendered to learned advocate for the applicant.

3. Learned counsel seeks adjournments as she wants to go through the reply and file rejoinder.

4. As per her request, adjourned to 30.3.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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16.03.2021

O.A 605/2020

Shri S.B Gunjal ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Mrs Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Learned C.P.O files affidavit in reply and submits copy of the same to the learned counsel for the applicant. Same is taken on record
3. Learned counsel for the applicant seeks time to examine the same and file rejoinder.
4. At her request adjourned to 30.3.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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16.03.2021

O.A 667/2020

Shri S.R Karande ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Kaustub Gidh, holding for Shri Kranti L.C, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned P.O mentions that reply will be filed during the course of the day.

3. S.O to 19.4.2021.

Sd/-

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

Akn

Sd/- 

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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16.03.2021

O.A 699/2020

Shri S.B Jagtap ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned C.P.O seeks time to file reply.

3. Adjourned to 30.3.2021.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 16.03.2021</p> <p align="center">M.A. No.58 of 2021 in M.A. No.59 of 2021 in O.A. No.05 of 2020</p> <p>The State of Maharashtra & Ors. (Org. Resp.)....Applicant</p> <p>Versus D.R. Wadkute (Org. Appl.).....Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Archana B.K., learned Presenting Officer for the Applicants (Org. Respondents) and Smt. Punam Mahajan, learned Advocate for the Respondent (Org. Applicant). 2. Today, matter is for filing Affidavit of Principal Secretary, Social Justice and Special Assistant Department, Mumbai in terms of order passed by this Tribunal on 09.03.2021. 3. Learned P.O. requested for two days time to file Affidavit. 4. S.O. to 19.03.2021. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 16.03.2021</p> <p style="text-align: center;">O.A. No.199 of 2021</p> <p>Dr. S.B. BaralayApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.K. Nair, learned Advocate holding for Ms. Reshma Kurle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In the O.A. the Applicant has challenged impugned communication dated 16.02.2021, whereby sum of Rs.7,46,464/- are ordered to be adjusted /recovered from gratuity and also sought direction to Respondent to release retrial benefits of the Applicant.</p> <p>3. Learned Advocate for the Applicant prayed for interim relief, in view of decision of Hon'ble Supreme Court in (2015) 4 SCC 334 (State of Punjab and others Vs. Rafiq Masih (White Washer)).</p> <p>4. In view of above Issue notice to Respondents before admission returnable on 15.04.2021.</p> <p>5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>6. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>

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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.

9. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

10. Learned P.O. is directed to take instructions from Respondent No.3 as directed above and shall appraise the Tribunal about the same.

11. Copy of this order to be send to Commissioner of Police for compliance forthwith.

12. In the mean time *Prima-facie* recovery after retirement seems impermissible in law, therefore it is stayed till next date by way of interim relief.

13. S.O. to 15.04.2021.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

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	<p align="center">Date: 16.03.2021</p> <p align="center">O.A. No.166 of 2021</p> <p>B.B. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant stands retired on the post of A.S.I. on 30.04.2016, but was convicted in special case No.17/2000 for the offences under Section 7 in Prevention of Corruption Act 1988 and was sentenced to the imprisonment of six months and fine of Rs.1000/- and also convicted for offence under Section 13 (1) (d) and 13 (2) of Prevention of Corruption Act and was sentenced to imprisonment of one year and fine of Rs.1000/- by judgment dated 03.03.2009. However he is acquitted in criminal case No.275/2009 by Hon'ble High Court on 04.11.2020. 3. In O.A. the Applicant has raised grievances of nonpayment of retrial benefits. 4. Shri S.S. Dere submits that except provisional pension no other retrial benefits are paid. 5. Thus, it appears that due to conviction retrial benefits were withheld. However, in view of acquittal there seems to be no legal hurdle to release retrial benefits of the Applicant. Period of more than 4 months since acquittal is over but no action is taken. 6. Respondent No.3 is therefore directed to release retrial benefits, if there is no legal hurdle for the same according to the entitlement of the Applicant in Rules

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	<p>and to appraise the Tribunal about the same on next date, so that O.A. can be disposed of immediately.</p> <p>7. In the mean time Issue notice to Respondents before admission returnable on 01.04.2021.</p> <p>8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.</p> <p>9. 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.</p> <p>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.</p> <p>11. 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>12. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.</p> <p>13. Learned P.O. is directed to take instructions from Respondent No.3 as directed above and shall appraise the Tribunal about the same.</p> <p>14. Copy of this order to be send to Commissioner of Police for compliance forthwith.</p> <p>15. S.O. to 01.04.2021.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


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	<p>Date: 16.03.2021</p> <p align="center">O.A. No.677 of 2020 to O.A. No.680 of 2020</p> <p>U.R. Mode S.S. Mujawar R.S. Patil S.A. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three days time is granted for filing Sur-Rejoinder, matter will be taken up for hearing on the same day.</p> <p>3. S.O. to 18.03.2021.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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
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	<p>Date : 16.03.2021</p> <p align="center">O.A.No.211 of 2020</p> <p>C. D. TikekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. K. Dhone holding for Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 to 3. It is taken on record. 3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder. 4. S.O. to 06.04.2021. <p align="right">Sd/- _____</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>nmn</p>

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	<p>Date: 16.03.2021</p> <p>M.A. No.359 of 2020 with O.A. No.807 of 2020</p> <p>J.R. GaudApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Sumant Deshpande, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Issue notice before admission returnable on 09.04.2021. 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 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record. 8. S.O. to 09.04.2021. <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 16.03.2021</p> <p align="center">O.A.No.480 of 2019</p> <p>J. R. SagreApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>3. S.O. to 05.04.2021.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 16.03.2021</p> <p align="center">O.A.No.44 of 2021</p> <p>K. H. KurlekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant, Smt. Kranti Gaikwad, learned Presenting Officer for the Respondent Nos.1 and 2 and Ms A. Keshwade holding for Shri Talekar, learned Counsel for the Respondent No.3. 2. Today, learned Counsel for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record. 3. Since there is interim relief in favour of the Applicant, the matter needs to be expedited. 4. The matter is adjourned for hearing at the stage of admission. 5. S.O. to 25.03.2021. <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p>

vsm