

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.705 of 2019

Shri V. D. Kamane & Ors.)...Applicants

Versus

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

Shri A. V. Bandiwadekar, Counsel for the Applicant

Ms S. P. Manchekar, Chief Presenting Officer for the Respondents

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 16.03.2023

ORDER

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Ms S P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The matter was heard for some time. The question of interpretation of G.R. dated 01.04.2010 issued by the Finance Department arises.
3. In present case, the Applicants were denied 2nd benefit of ACPS Scheme on the ground that they do not possess educational qualification for the 2nd promotional post of Senior Lab Assistant by impugned order dated 02.11.2016. The Applicants got 1st benefit for the post of Junior Lab Assistant but none of them got actual functional promotion for the post of Junior Lab Assistant.
4. Learned Counsel for the Applicants in reference to Clause 'D' of G.R. dated 01.04.2010 contends that the Finance Department has made specific distinction of terms and conditions for 2nd benefit in respect of the employees who have got 1st benefit and then got actual functional promotion and the employees who got 1st benefit of ACPS but did not get actual functional

Handwritten signature

promotion on the said post. According to him, for the 2nd benefit, the Applicants being not actually promoted, there is no requirement of fulfillment of educational qualification required for 2nd benefit.

5. At this juncture, it would be apposite to reproduce the relevant terms and conditions (Clause 'D') of G.R. dated 01.04.2010 which are as under :-

"ड. योजनेच्या दुस-या लाभासाठी पात्रतेच्या अटी व शर्ती :-

(१) पहिला लाभ घेतलेल्या व त्यानंतर प्रत्यक्ष पदोन्नती मिळालेल्या कर्मचा-यास दुसरा लाभ मंजूर करताना तो पहिल्या लाभाप्रमाणेच दिनांक २० जुलै २००१, च्या आदेशामधील व यासंबंधी वेळोवेळी निर्गमित करण्यात आलेल्या स्पष्टीकरणात्मक आदेशांतील तरतुदीच्या अधिन मंजूर करण्यात यावा. म्हणजेच, ज्या पदाची वेतनसंरचना मंजूर करण्यात येणार आहे, त्या पदावर प्रत्यक्ष पदोन्नती मिळण्यासाठी विहित केलेल्या अटी व शर्तीची पूर्तता करणे आवश्यक राहिल.

(२) पहिल्या लाभांतर्गत पदोन्नतीच्या ज्या पदाची वेतनसंरचना मंजूर करण्यात आली आहे त्या पदावर प्रत्यक्ष पदोन्नती न मिळालेल्या कर्मचा-यांच्या बाबतीत, दुसरा लाभ मंजूर करण्यासाठी, त्याला ज्या पदाची वेतनसंरचना मंजूर करण्यात येणार आहे त्या पदावरील पदोन्नतीसाठी विहित केलेली गोपनीय अहवालाची किमान सरासरी प्रतवारी प्राप्त करणे आवश्यक राहिल.

6. Thus, the Finance Department seems to have made distinction for the 2nd benefit and applied different criteria for those who got 1st benefit and then got actual promotion and the employees who got benefit but did not get actual functional promotion. In Clause 'D-1', there is requirement of fulfillment of educational qualification for the 2nd benefit. However, in Clause 'D-2', there is no such specific requirement of fulfillment of educational qualification.

7. In view of above, the Finance Department is necessary party to clarify the position.

8. Learned C.P.O. also submits that the Finance Department is necessary party so as to clarify the terms and conditions of G.R. dated 01.04.2010 particularly Clause 'D' of G.R.

9. In view of above, leave is granted to learned Counsel for the Applicant to implead the Additional Chief Secretary (Finance), State of Maharashtra as Respondent No.4.

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

11. Issue notice before admission returnable on 30.03.2023 to newly added Respondent No.4.
12. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
13. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
14. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
15. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
16. S.O. to 30.03.2023.

Sd/-

(A. P. KURHEKAR)
MEMBER (J)

**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>16.03.2023</u></p> <p align="center"><u>O.A 613/2019, O.A 494/2020, O.A 214/2020, O.A 603/2021 & O.A 24/2022</u></p> <p>Shri S.S Chavan & Ors ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Smt Punam Mahajan, learned counsel for the applicants has filed leave note. Heard Shri B.A Bandiwadekar, learned advocate for the applicants in O.A 214/2020, 603/2021 and 24/2022 and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 26.4.2023. H.O.B.</p> <p>Sd/- _____ Sd/- _____ (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.03.2023</p> <p align="center">O.A. No.203 of 2023</p> <p>R.N. RudrurkarApplicant 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. The Applicant stands retired w.e.f. 30.01.2018 as Voluntary retirement but except provisional Pension of six months nothing is paid to him. On previous 2 / 3 days matter was adjourned with direction to learned P.O. to take instruction from the Department as to why retiral benefits are not paid though period of more than 5 years is over, which shows total apathy of the concerned. However, today again learned P.O. sought time to take instruction.</p> <p>3. Learned P.O. is directed to take instruction immediately and to apprise the Tribunal in afternoon session so that O.A. could be disposed of with suitable direction.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member (J)</p> <p><u>L.O.</u></p> <p>4. In the afternoon session, on instructions learned P.O. submits that the file for releasing retiral dues namely gratuity and regular pension is in process. She sought two weeks to file reply.</p>

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

Tribunal's orders

5. The Applicants availed voluntary retirement w.e.f. 30.01.2018 but except provisional pension of initial six months nothing is paid. The gratuity, regular pension and GIS is not paid though the period of more than five years from date of voluntary retirement is over. It is really disturbing to note apathy and total negligence on the part of Respondents in the matter.

6. Once the voluntary retirement notice was accepted that means there was no any legal hurdle one way or other to release the retiral benefits within reasonable time. The Applicant has claimed remaining retiral benefits along with interest.

7. In view of above, the Respondents are directed to release remaining retiral benefits to the Applicants within two weeks from today without fail and to report compliance to the Tribunal by next date.

8. The issue of interest is kept open.

9. Learned P.O. is at liberty to file reply by next date along with compliance of this order.

10. S.O. to 30.03.2023.

Sd/-

w*

(A.P. Kurhekar)
Member(J)

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 16.03.2023</p> <p>M.A.No.130/2023 in O.A.No.2/2023</p> <p>State of Mah & Ors.Appli(Org. Respt) Vs. M.K. SirsatRespt (Org. Appli).</p> <ol style="list-style-type: none"> 1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents 2. M.A. is filed seeking transfer of O.A. from M.A.T. Mumbai to M.A.T. Bench Aurangabad under Section 25 of the Administrative Tribunals Act. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 21.03.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed. 9. Adjourned to 21.03.2023. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Date : 16.03.2023

O.A.No.919/2018 with O.A.No.1049/2018

Y.L. Belgiri & Ors.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Matter called out. As none was present for applicant Adjourned to 05.04.2023

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 16.03.2023</p> <p align="center">O.A.No.195/2021</p> <p>D.B. KoulageApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. informs that the amended O.A. is not served on the Department.</p> <p>3. Learned Advocate is directed to serve the amended O.A. to the concerned Department. Time granted to learned C.P.O. to file short affidavit-in-reply to the amended O.A.</p> <p>4. Adjourned to 05.04.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

16.03.2023

M.A 316/2021 in O.A 658/2021

Shri P.R Kshirsagar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. None present for the applicant. Heard Ms Archana B.K, learned P.O for the Respondents.

2. Learned counsel for the applicant is granted last chance to provide the second set of the Misc Application for the Division Bench.

3. If the compliance is not done with two weeks, the matter will be dismissed.

4. S.O to 29.3.2023.

Sd/-

Sd/-

**(Medha Gadgil)
Member (A)**

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

Akn

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

Date : 16.03.2023

O.A.No.803/2021

M.D. Walunj & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. M.M. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. 41 Applicants pray for giving directions to the Government to issue G.R. to create supplementary posts of Motor Vehicle Inspector 2017 and absorb the applicants. Alternatively, prays that the revised list of candidates published on 09.09.2019 be quashed and set aside and to restore the Original list of candidates published on 31.03.2018 by the Respondent No.3. Also Respondents be directed to issue appointment letters to the Applicants in view of the Original list dated 31.03.2018. Further, the Applicants demand compensation of 5 lakhs to each Applicant towards delay/breach of promissory estoppel.

3. Today learned Advocate wants to file rejoinder. Permission granted. It be taken on record. Copy is to be serve on the concerned Departments and the office of C.P.O. well in advance to enable them to consider it.

4. Adjourned to 05.04.2023.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 16.03.2023

M.A.No.162/2023
in

C.A.No.49/2020 in O.A.No.822/2019 with
C.A.No.50/2020 in O.A.No.823/2019 with
C.A.No.51/2020 in O.A.No.824/2019 with
C.A.No.52/2020 in O.A.No.825/2019 with
C.A.No.53/2020 in O.A.No.826/2019 with
C.A.No.43/2021 in O.A.No.400/2019 with
C.A.No.44/2021 in O.A.No.821/2019

The State of Maharashtra & Ors.

....Appli (Org. Resdt)

Vs.

Dr. G.P. Jangid & Ors.Respdts. (Org. Appli)

1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicants (Org. Respondents) and Mr. J.S. Deshmukh, learned Advocate for the Applicants (Org. Respondents).

2. Compliance of this order passed in C.A.No.49/2020 in O.A.No.822/2019 & Ors is pending since long. Today, Joint Secretary is present. However, M.A. is moved for exemption of the appearance of Mr. Sanjay Khandare, Principal Secretary in the office of Home Department.

3. Today on the ground that Assembly Session is going on and file is before Hon'ble Minister we grant exemption for a day. Principal Secretary is directed to remain present on next date i.e. 12.04.2013.

4. M.A. stands disposed of.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

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 : 16.03.2023</p> <p style="text-align: center;">C.A.No.49/2020 in O.A.No.822/2019 with C.A.No.50/2020 in O.A.No.823/2019 with C.A.No.51/2020 in O.A.No.824/2019 with C.A.No.52/2020 in O.A.No.825/2019 with C.A.No.53/2020 in O.A.No.826/2019 with C.A.No.43/2021 in O.A.No.400/2019 with C.A.No.44/2021 in O.A.No.821/2019</p> <p>Dr. G.P. Jangid & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. J.S. Deshmukh, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is filed.</p> <p>3. The Hon'ble High Court by order dated 14.09.2022 confirmed the order of this Tribunal dated 08.01.2020 with directions to the Respondent to take policy decision within three months. The said period of three months is over on 14.12.2022 and learned C.P.O. requests for three months more.</p> <p>4. Adjourned to 12.04.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p style="text-align: left;">prk</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 style="text-align: center;"><u>16.03.2023</u></p> <p style="text-align: center;"><u>O.A 759/2020</u></p> <p>Shri M.K Satpute ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Mrs Punam Mahajan has filed leave note. Heard Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 29.3.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</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 : 16.03.2023</p> <p>O.A.No.1299/2022</p> <p>U.H. BhosaleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Today learned C.P.O. tenders copy of affidavit-in-reply to learned Advocate.</p> <p>3. Adjourned to 05.04.2023 for rejoinder. Interim relief, if any, to be continued till next date.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</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>Date : 16.03.2023</p> <p align="center">O.A.No.1259/2022</p> <p>G.R. Shelar & AnrApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned Advocate Ms. Savita Suryawanshi prays that similar issue in O.A.No.659/2022 be tagged along with present O.A.</p> <p>3. Permission granted.</p> <p>4. At the request of learned Advocate Mr. Chandratre adjourned to 20.03.2023 along with O.A.No.659/2022.</p> <p align="center">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

16.03.2023

M.A 80/2023 in O.A 79/2023

K.S Tordmal ...Applicant/
Intervener

Shri R.N Saykar ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Ms Pooja Mankoji holding for Shri S.S Dere, learned advocate for the applicant/Intervenor in M.A 80/2023, Shri B.A Bandiwadekar, learned counsel for the original Applicant and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned P.O informs that the office of D.G will send proposal to the Home Department for creating supernumerary post and file affidavit in reply.

3. S.O to 23.3.2023.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

Alkh

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.03.2023</u></p> <p><u>O.A 883/2021</u></p> <p>Smt S.R Zanzurne ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply and copy of the same is furnished to the learned counsel for the applicant.</p> <p>3. Admit.</p> <p>4. Place for final hearing on 5.4.2023. H.O.B.</p> <p>Sd/- _____ Sd/- _____</p> <p>(¹⁰Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 16.03.2023</p> <p align="center">O.A.No.803/2021</p> <p>M.D. Walunj & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.M. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. 41 Applicants pray for giving directions to the Government to issue G.R. to create supplementary posts of Motor Vehicle Inspector 2017 and absorb the applicants. Alternatively, prays that the revised list of candidates published on 09.09.2019 be quashed and set aside and to restore the Original list of candidates published on 31.03.2018 by the Respondent No.3. Also Respondents be directed to issue appointment letters to the Applicants in view of the Original list dated 31.03.2018. Further, the Applicants demand compensation of 5 lakhs to each Applicant towards delay/breach of promissory estoppel.</p> <p>3. Today learned Advocate wants to file rejoinder. Permission granted. It be taken on record. Copy is to be serve on the concerned Departments and the office of C.P.O. well in advance to enable them to consider it.</p> <p>4. Adjourned to 05.04.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.03.2023</u></p> <p><u>O.A 613/2019</u></p> <p>Shri S.S Chavan ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 26.4.2023. H.O.B.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.03.2023</u></p> <p><u>O.A 902/2022 with O.A 1002/2022</u></p> <p>Shri R.R Godse ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files affidavit in reply today.</p> <p>3. S.O to 19.4.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.03.2023</u></p> <p><u>O.A 1213/2021</u></p> <p>Shri A.M Rakh ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O files affidavit in reply and copy served to the learned counsel for the applicant.</p> <p>3. Learned counsel for the applicant seeks time to file rejoinder.</p> <p>4. S.O to 5.4.2023.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>Sd/-</p> <p>✓ (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

16.03.2023

O.A 1025/2022

Shri A.D Gangawane ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

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

3. S.O to 5.4.2023.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

Akn

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 : 16.03.2023</p> <p style="text-align: center;">C.A.No.40/2022 in O.A.No.733/2021</p> <p>S.P. KotteApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant, Ms. Archana B.K., learned Presenting Officer for the Respondents, Mr. M.D. Lonkar, learned Advocate for the Respondent No.2</p> <p>2. In view that the order passed by this Tribunal is challenged before the Hon'ble High Court and the same is pending, matter stands adjourned to 29.03.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</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>Date : 16.03.2023</p> <p style="text-align: center;">O.A.No.72/2023</p> <p>M.D. Shende & OrsApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Mr. L.S. Deshmukh, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents2. Reply is filed.3. Admit.4. Adjourned to 29.03.2023 for Final Hearing. HOB. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(<i>Meena Gaugli</i>) / (<i>Mridula Bhatkar, J.</i>) Member (A) Chairperson</p> <p style="text-align: left;">prk</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 : 16.03.2023</p> <p align="center">O.A.No.218/2023</p> <p>Y.B. ChemateApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. G.K. Birajdar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned C.P.O. seeks time to file reply.</p> <p>3. Time granted. Adjourned to 21.03.2023.</p> <p align="center"> Sd/- Sd/- (Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson </p> <p>prk</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>16.03.2023</u></p> <p align="center"><u>O.A 625/2021</u></p> <p>S.D Akale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 12.4.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>16.03.2023</u></p> <p align="center"><u>O.A 657/2022</u></p> <p>Shri A.L Guje ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Smt Punam Mahajan, filed leave note. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 26.4.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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>16.03.2023</u></p> <p align="center"><u>O.A 692/2022</u></p> <p>Shri S.R Mohite & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Shri S.R Mohite, applicant present in person. Heard Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O is directed to file affidavit in reply before the next date.</p> <p>3. S.O to 12.4.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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

Tribunal's orders

Date : 16.03.2023

O.A.No.560/2022

S.S. ThoratApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents
2. Suo moto taken on board at the request of learned C.P.O.
3. Registry is directed to place this matter tomorrow i.e. 17.03.2023.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

prk

**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>16.03.2023</u></p> <p align="center"><u>O.A 732/2022</u></p> <p>Shri S.P Pole ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Rajendra Jadhav holding for Shri R.G Panchal, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 29.3.2023. H.O.B.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.03.2023</u></p> <p><u>O.A 865/2022</u></p> <p>Shri A.V Gavhane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel seeks time to file affidavit in rejoinder.</p> <p>3. S.O to 23.3.2023. Interim relief to continue till then.</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A)</p>
	<p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</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>Date: 16.03.2023</p> <p style="text-align: center;">O.A. No.286 of 2023</p> <p>R.R. SarafApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant stands retired on 31.12.2022. His retiral benefits are not paid in view of issue of recovery. The Applicant has challenged communication dated 19.12.2022 about recovery of Rs.23,09,684/- (Rupees Twenty Three Lakhs Nine Thousand Six Hundred and Eighty Four Only) paid to the Applicant by way of compounded increment on acquiring P.H.D. and also challenged another communication dated 03.03.2023 whereby his leave period is revised and sum of Rs.08,01,176/- (Rupees Eight Lakhs One Thousand One Hundred and Seventy Six Only) is sought to be recovered.</p> <p>3. The perusal of record reveals that impugned action of recovery of compounded increment has been taken in pursuance of the G.R. dated 03.06.2022 issued by Government in Higher and Technical Department. Notably Nagpur Bench of this Tribunal by order dated 22.08.2022 passed in O.A.817/2022 directed to maintain status qua in respect of G.R. dated 03.06.2022. In the said O.A. the Applicant therein have challenged legality of G.R. dated 03.06.2022 since it was given by retrospective operation.</p> <p>4. Thus in view of status qua order granted by Nagpur Bench of the Tribunal I think no necessity to pass interim order in this O.A.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 13.04.2023.</p> <p>7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>11. In the mean time, Respondents are directed to ensure the payment of other retiral benefits to the Applicant as per his entitlement in law.</p> <p>12. S.O. to 13.04.2023.</p> <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.290 of 2023

S. S. Deshmukh)...Applicant

Versus

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

Shri A. V. Bandiwadekar, Counsel for the Applicant

Smt. Archana B. K., Presenting Officer for the Respondents

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 16.03.2023

ORDER

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.
2. The Applicant has challenged the suspension order dated 02.03.2023 issued by the Government *inter alia* contending that he is unnecessarily made scapegoat and it was not at all the case of any such misconduct much less to suspend him.
3. The perusal of suspension order dated 02.03.2023 reveals that the Government suspended the Applicant on the basis of report of the Commissioner, Food and Drugs Administration, dated 27.12.2022 which pertains to alleged orders of deputation issued by the Applicant. In suspension order, it is stated that the Applicant misused his authority and deputed certain officers beyond his jurisdiction. This is the only reason mentioned in the suspension order issued in contemplation of D.E.

W.B.

4. However, learned Counsel for the Applicant has pointed out that it is in pursuance of the order passed by the Commissioner, Food and Drugs Administration, he has deputed certain officers temporarily in Sindhudurg and Beed since it was required for the administration. His contention is clearly borne out from the record. The Applicant did so on the basis of directions given by the Commissioner, Food & Drugs Administration, Mumbai and not at his own. Thus, all that he followed the orders of Commissioner.
5. Learned P.O. on perusal of file also states that the Commissioner in his report dated 27.12.2022 admits that directions of deputation was issued by him as seen from the report dated 27.12.2022.
6. In view of above, hardly any wrong can be attributed to the Applicant for deputing certain officials much less for misconduct. The suspension order is thus passed mechanically without application of mind and outcome of suspension syndrome.
7. In view of above, prima-facie, the order of suspension is totally unwarranted, untenable and liable to be stayed.
8. For the aforesaid reasons, interim relief as per Prayer Clause 10(a) is granted.
9. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
10. Issue notice before admission returnable on 30.03.2023
11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
12. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
13. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

15. S.O. to 30.03.2023. Steno copy granted.

Sd/-

(A. P. KURHEKAR)
MEMBER (J)

10/12

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.364 OF 2021**

Shri Rahul Gorakhanath Kadam & Anr. ..Applicants
Versus
The State of Maharashtra & Ors. ..Respondents

Shri Shri S.D. Patil – Advocates for the Applicants

Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
Smt. Medha Gadgil, Member (A)

DATE : 16th March, 2023

ORDER

Ld. Advocate for the applicants make an oral application for speaking to minutes of the order dated 15.2.2023 passed by this Tribunal in the above OA. Ld. Advocate submits that there is typographical mistake in mentioning the date of judgment as 15.2.2023 at page no.2 and page no.6 of the judgment and it should be corrected as '16.2.2023'.

2. Ld. CPO has no objection and she submits to the order of the Court.
3. The order be corrected accordingly.

Sd/-
(Medha Gadgil)
Member (A)
16.3.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
16.3.2023

Dictation taken by: S.G. Jawalkar.

**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 : 16.03.2023</p> <p align="center">O.A.No.230 of 2023</p> <p>M. K. MohiteApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Kunda Gaikwad, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. The perusal of O.A. as a whole reveals that this is not a case of deemed date of promotion but the Applicant is seeking promotion to the post of Circle Officer.</p> <p>3. Learned Counsel for the Applicant fairly concedes that at present her client is working as Talathi. According to her, the Applicant is denied promotion illegally.</p> <p>4. In view of ^{proced} grievance pertains to promotion which does not pertain to Single Bench.</p> <p>5. The Registrar is, therefore, directed to place the matter before Division Bench.</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>Date : 16.03.2023</p> <p>M. A. No.154 of 2023 in O.A.No.1329 of 2022</p> <p>G. A. KambleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. Ghate holding for Shri G. Sadavarte, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. This M.A. is filed to condone the delay. 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 13.04.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ Miscellaneous Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Application shall stand dismissed. 9. S.O. to 13.04.2023. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 16.03.2023</p> <p align="center">O.A.No.214 of 2023</p> <p>P. B. Bhoite ...Applicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks' time is granted to file reply by way of last chance.</p> <p>3. S.O. to 30.03.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 16.03.2023</p> <p align="center">O.A.No.169 of 2023</p> <p>D. P. MalveApplicant</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 Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks' time is granted to file reply.</p> <p>3. S.O. to 30.03.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 16.03.2023</p> <p align="center">O.A.No.13 of 2023 with O.A. No.202 of 2023</p> <p>D. P. VarpeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents. Shri Ashish Khandekar, learned Counsel for Respondent No.2-ZP.</p> <p>2. In O.A.13/2023, Affidavit in Reply is already filed on behalf of Respondent No.1. Two weeks time is granted to file reply on behalf of Respondent No.2/ZP, Raigad.</p> <p>3. Insofar as O.A.No.202/2023 is concerned, no reply is yet filed. In this O.A. also two weeks time is granted to file reply.</p> <p>4. S.O. to 30.03.2023.</p> <p align="right">Sd/-</p> <p align="right">(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>Date: 16.03.2023</p> <p>O.A. No.424 of 2020 with O.A. No.398 of 2021 with O.A. No.172 of 2022 with O.A. No.80 of 2021 with O.A. No.81 of 2022 with O.A. No.632 of 2021 with O.A. No.784 of 2021 with O.A. No.685 of 2022 with O.A. No.713 of 2022</p> <p>Dr. K.B. Batte Dr. B.M. Dahiphale Dr. S. V. Kachare Dr. J.K. Pagare Dr. A.R. Patil Dr. A.S. Thakre Dr. V.N. Musale & Ors. D.T. Chavan & Ors., P.B. Rathod</p> <p>.....Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, leaned Advocate for the Applicant in O.A.424/2020, Shri K.R. Jagdale, leaned Advocate for the Applicant in O.A.172/2022 & 713/2022 and Smt. K.S. Gaikwad and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Shri A. Misal, learned Advocate for the Respondent No.4 in O.A.713/2022, Shri J.S. Deshmukh, learned Advocate for the Applicant in O.A. No.80/21, 81/21, 632/21 & 713/22, Shri U.V. Bhosle, learned Advocate for the Applicant in 398/2021, Smt. Pooja Mankoji holding for Shri S.S. Dere, Advocate for the Applicant in 685/2022 is present.</p> <p>3. All these O.As were adjourned from time to time awaiting the decision of the Hon'ble High Court since the issue involved in these O.As. is identical to the issue which is already decided by the Tribunal but again challenged by the Government in W.P.</p> <p>4. Today, learned P.O. has tendered the copy of order of the Hon'ble High Court dated 09.03.2023 passed in W.P. No.2303/2019 and connected Writ Petitions. It appears that when the matters were taken up for hearing by the Hon'ble High Court, learned A.G.P. made a statement that the State Government is in process of taking policy decision qua providing the benefit of leave encashment and increment to ad-hoc Medical Officers and sought longer time beyond summer vacation. In view of that submission, the Writ Petitions were adjourned to 12.06.2023. Thus, it appears that the issue of grant of leave encashment and increment to ad-hoc Medical Officer is in consideration of Government to take a policy decision.</p> <p>5. Learned P.O. on instructions submits that the file is pending with the Minister.</p> <p>6. In view of above, all these Original Applications are adjourned for hearing with hope that in the meantime, the Government would come with appropriate policy decision.</p> <p>7. S.O. to 13.04.2023. Sd/-</p> <p>(A.P. Kurhekar) Member (J)</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: 16.03.2023</p> <p align="center">M.A. No.112 of 2023 in O.A. No.771 of 2021 with M.A. No.113 of 2023 in O.A. No.792 of 2021 with M.A. No.114 of 2023 in O.A. No.793 of 2021</p> <p>Y.B. Akolkar S.R. Patil P.B. BhangareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri J.P. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. All these M.As. are filed to restore O.As which was dismissed in default on 16.09.2022. These M.As are filed quite belatedly after the ^{expiry} expiring of period of limitation of one month without making Application for condonation of delay. Office has also raised objection for not filing of M.A.</p> <p>3. Learned Advocate for the Applicant sought two weeks time to file M.A. for condonation of delay.</p> <p>4. Two weeks time is granted to file M.A. for condonation of delay from today. If M.As are filed ^{within time} matters be listed before Tribunal for further order and if not by default all these M.As would stand dismissed without reference to the Tribunal.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">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: 16.03.2023</p> <p align="center">O.A. No.155 of 2023</p> <p>N.B. WaghelaApplicant 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 this O.A. Reply was filed on behalf of Respondent No.1. However, learned P.O. submits that in fact that Reply is on behalf of Respondent No.2. He sought permission to rectify the mistake. Allowed to do so. Learned P.O. sought permission to file Reply on behalf of Respondent No.1.</p> <p>3. Two weeks time is granted to file Affidavit-in-Reply on behalf of Respondent Nos.1 & 3 by way of most last chance.</p> <p>4. S.O. to 30.03.2023 along with O.A. No.151/2023.</p> <p align="right">Sd/-</p> <p 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

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: 16.03.2023</p> <p align="center">O.A. No.151 of 2023 with M.A. No.109 of 2023</p> <p>H.C. Dasade & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate holding for Shri S.M. Kakade, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. Learned P.O. sought time to file Reply on behalf of Respondent No.1. He states that the Reply earlier filed is on behalf of Respondent No.3 but mistakenly it is tittle as Reply of Respondent No.1. He sought permission to correct the mistake. Allowed to do so.</p> <p>4. Two weeks time is granted to file Affidavit-in-Reply on behalf of Respondent No.1 or any other Respondents if so desire with specific direction that no further time will be granted.</p> <p>5. S.O. to 30.03.2023.</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
	<p>Date: 16.03.2023</p> <p>O.A. No.252 of 2023</p> <p>P.D. KedarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The main prayer of the Applicant is to direct the Respondents to frame a policy in respect of posting and transfer of handicapped and person with disabilities, as per provisions of Section 20(5) of Rights of Persons with Disabilities Act, 2016 and post the Applicant at Solapur or in the adjoining places of Solapur namely Barshi or Osmanabad.</p> <p>3. The perusal of record reveals that while the Applicant was working at Solapur he was initially suspended in view of registration of crime against him under the provision of Prevention of Corruption Act and later on reinstatement he was posted at Mumbai. He claims to be suffering from 40% of disabilities of left leg.</p> <p>4. As stated above, the main prayer of the Applicant is for direction to Government to frame policy in respect of posting and transfer of handicapped and person with disabilities. Thus matter does not pertain to transfer but it is in respect of direction for the Government to frame policy which is not pertaining to Single Bench.</p> <p>5. In view of above, I/C. Registrar is directed to place the matter before Division Bench.</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

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: 16.03.2023</p> <p align="center">O.A. No.256 of 2023</p> <p>M.B. KanerkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.R. Ghanavat, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. When the matter is taken up for admission learned P.O. raised objection on the point of jurisdiction of the Tribunal since deceased was not in Government service. Therefore matter was adjourned on the request of learned Advocate for the Applicant to take necessary instruction.</p> <p>3. Today, learned Advocate for the Applicant sought permission to withdraw O.A. with liberty to approach appropriate forum for compassionate appointment.</p> <p>4. The deceased seems to be in service with Krishna-Khore Development Corporation and not in Government service.</p> <p>5. In view of above, allowed to withdraw the O.A. as prayed for.</p> <p>6. No order as to costs.</p> <p align="right">Sd/- v~ (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: 16.03.2023</p> <p align="center">M.A. No.146 of 2023 in O.A. No.731 of 2022</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus P.N. Dekhane (Org. Appl.)Resps.</p> <ol style="list-style-type: none"> 1. Heard Shri A.J. Chougule, learned Presenting Officer for the Applicants (Org. Respondents) and Smt. V.K. Jagdale, learned Advocate for the Respondent (Org. Applicant). 2. This M.A. is filed for grant of six weeks time to implement the order passed by the Tribunal on 06.01.2023. Tribunal allowed the O.A. with direction to the Respondents to include the name of the Applicant in the waiting list within two months from the date of order. 3. Application for extension is made on 02.03.2023 i.e. before expiration of two months period. 4. Since, it is matter of compassionate appointment Respondents were required to expedite the matter and to comply the order passed by the Tribunal within time given to them. However, Department is seeking legal opinion. 5. In view of above, two weeks time from today is granted to comply the order passed by the Tribunal on 06.01.2023 and no further time will be granted. 6. M.A. is accordingly disposed of with no order as to costs. <p align="right">Sd/- (A.P. Kurhekar) Member (J) [P.T.O.]</p> <p align="left">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: 16.03.2023</p> <p align="center">O.A. No.126 of 2023</p> <p>P.U. NanavareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms Pooja Mankoji, learned Advocate holding for Shri S.S. Dere & Assoc., learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought permission to withdraw O.A. with liberty to approach appropriate forum for redressal of grievances.</p> <p>3. On previous date Tribunal has raised query about the jurisdiction of the Tribunal since the Applicant seems to be not a Government servant. He was watchman on the establishment of Respondent No.3 – The Rajiv Gandhi memorial School, for the blind. It is not a Government institution.</p> <p>4. Today, learned Advocate for the Applicant submits that there is no ^{document} letter with the Applicant to show that he is appointed by the Government and retired as Government servant. Therefore, she sought permission to withdraw the O.A.</p> <p>5. Allowed to withdraw the O.A. as prayed for.</p> <p>6. No order as to costs.</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

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Date : 16.03.2023

O.A.No.815/2017

S.M. PatilApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1 to 3. None for Respondent No.4

2. Matter called out. Learned Advocate Mr. S.H. Patil for Respondent no.4 is not present. He is directed to remain present as the applicant seeks appointment against Respondent No.4.

3. We direct Home Department to communicate Respondent No.4 independently to remain present.

4. Adjourned to 31.03.2023. HOB.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.672 of 2022</u></p> <p>F.H. Shaikh & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. V.K. Jagdale i/b. Shri K.R. Jagdale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants submits that following persons have joined and resigned:</p> <p>(i) Shashikant Babaji Bombe, Sr. No.17, page 123 (ii) Mayur Vilas Mandlik, Sr. No.111, page 130 (iii) Ankush Sampat Karande, Sr. No.168, page 134 (iv) Vyankatesh Saganaji Ghodke, Sr. No.150, page 133 (v) Chetan Suresh Dhanavade, Sr. No.40, page 125</p> <p>3. Ld. Advocate for the applicants submits that revised result/select list was published on 3.7.2021 and thereafter for one year the waiting list was in force otherwise. However, due to COVID-19 the waiting list is to be extended as no appointments were made during 13.2.2021 to 2.7.2022 and waiting list was alive and that period is to be excluded.</p> <p>4. Ld. Advocate for the applicants relies on clause 13 of GR dated 13.6.2018 which states about the period of waiting list.</p> <p>5. Ld. Advocate for the applicants relies on the judgment and order dated 5.2.2013 passed by the Hon'ble Supreme Court in Civil Appeal Nos.938-939 of 2013 State of J & K & Ors. Vs. Sat Pal.</p> <p>6. S.O. to 28.3.2023.</p> <p style="text-align: center;">Sd/- (Medha'Gadgil) Member (A) 16.3.2023 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 16.3.2023</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>Date: 16.03.2023</p> <p align="center">O.A. No.1140 of 2022</p> <p>R.B. SatheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate holding for Shri G. Solanke, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Rejoinder. Learned Advocate Shri M.B. Kadam submits that the Applicant does not want to file Rejoinder.</p> <p>3. Since the pleading is complete, O.A. be kept for Final Hearing.</p> <p>4. S.O. to 03.04.2023.</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: 16.03.2023</p> <p align="center">M.A. No.89 of 2023 in O.A. No.158 of 2023</p> <p>Dr. D.G. BiradarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri J.S. Deshmukh, 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 to file Reply to M.A.</p> <p>3. S.O. to 30.03.2023.</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: 16.03.2023</p> <p>M.A. No.85 of 2023 in O.A. No.1313 of 2022</p> <p>S.K. NaiyaApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri A.S. Gaikwad, learned Advocate for the Applicant has sent his leave note.</p> <p>2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>3. In view of leave note adjourned for admission.</p> <p>4. S.O. to 30.03.2023.</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: 16.03.2023</p> <p align="center">M.A. No.163 of 2022 in O.A. No.286 of 2022</p> <p>M.H.I. ShaikhApplicant 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 Advocate for the Applicant has filed Affidavit-in-Rejoinder in M.A. It is taken on record.</p> <p>3. Insofar as O.A. is concerned, one week time is granted as last chance to file Affidavit-in-Reply since O.A. and M.A. are required to be heard together as per order passed by the Tribunal in the matter.</p> <p>4. S.O. to 23.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">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: 16.03.2023</p> <p align="center">R.A. No.02 of 2023 in O.A. No.356 of 2022</p> <p>R.S. Kore through legal heirs Smt. S.R. Kore & Shri A.R. KoreApplicant 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 Advocate for the Applicant has filed Affidavit-in-Rejoinder in R.A. It is taken on record.</p> <p>3. R.A. be kept for hearing.</p> <p>4. S.O. to 30.03.2023.</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: 16.03.2023</p> <p align="center">O.A. No.40 of 2020</p> <p>D.K. WaghmodeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.R. Ghanavat, learned Advocate holding for Shri N.Y. Chavan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Shri S.R. Ghanavat sought adjournment on the ground that Advocate Shri N.Y. Chavan is unable to attend Tribunal due to his personal difficulties.</p> <p>3. S.O. to 24.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">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: 16.03.2023</p> <p align="center">O.A. No.170 of 2023</p> <p>S.P. PansareApplicant 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 on behalf of Respondent. It is taken on record.</p> <p>3. One week time is granted to learned Advocate for the Applicant to file Rejoinder.</p> <p>4. S.O. to 23.03.2023.</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____

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: 16.03.2023</p> <p align="center">O.A. No.134 of 2023</p> <p>C.R. GangodeApplicant 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. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 31.03.2023.</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: 16.03.2023</p> <p align="center">O.A. No.1278 of 2022</p> <p>P.S. SalviApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.A. Shinde, learned Advocate holding for Shri D. Mane/S. Lavte, 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. one week time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 23.03.2023.</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: 16.03.2023</p> <p align="center">O.A. No.1235 of 2022</p> <p>G.V. BellaleApplicant 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 Respondent. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 06.04.2023.</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
	<p>Date: 16.03.2023</p> <p style="text-align: center;">O.A. No.289 of 2023</p> <p>Y.R. GayakwadApplicant 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 A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant is seeking Inter District Transfer from the establishment of the Commissioner of Police, Mumbai Mumbai to the establishment of the Superintendent of Police, Jalgaon. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 27.03.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. This O.A. be kept along with connected O.As on 27.03.2023. 10. S.O. to 27.03.2023. <p style="text-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
	<p>Date: 16.03.2023</p> <p style="text-align: center;">O.A. No.273 of 2023</p> <p>B.B. GhadgeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri B.B. Ghadge, Applicant in Person and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged communication dated 16.02.2023 whereby he was informed that the period of suspension from 23.08.2015 to 28.11.2018 cannot be regularized in view of proposed appeal to be filed against the Judgment of the Session Court acquitting the Applicant. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 13.04.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 13.04.2023. <p style="text-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
	<p>Date: 16.03.2023</p> <p style="text-align: center;">O.A. No.258 of 2023</p> <p>D.P. VarpeApplicant 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. The Applicant has challenged communication dated 18.01.2023 issued by Government thereby treating absence from duty from 27.01.2016 to 04.07.2017 (524 days) as unauthorized absence without pay and allowances. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 13.04.2023. 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 13.04.2023. <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 : 16.03.2023</p> <p style="text-align: center;">O.A.No.554 of 2023</p> <p>P. P. GaikwadApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri J. S. Deshmukh, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Learned P.O. sought permission to file Affidavit in Reply on behalf of Respondent Nos.1 to 4. It is taken on record. 3. Since pleading is complete, the O.A. be kept for hearing with connected O.A.553/2022. 4. S.O. to 12.04.2023. <p style="text-align: right; margin-top: 20px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 16.03.2023</p> <p>O.A. No.165 of 2023 with O.A. No.172 of 2023 with O.A. No.181 of 2023 with O.A. No.182 of 2023 with O.A. No.191 of 2023 with O.A. No.194 of 2023</p> <p>B.B. Rane, K.K. Pawar D.A. Potbhare & Ors., G.S. Revgade & Anrs., A.R. Roman & Anrs., S.M. GosaviApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant, Shri M.D. Lonkar, learned Advocate for the Applicant in O.A.191/2023 and Shri A.J. Chougule & Smt Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one week time is granted to file Affidavit-in-Reply on behalf of Respondent No.3.</p> <p>3. This O.A. be kept along with connected O.As.</p> <p>4. S.O. to 27.03.2023.</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 : 16.03.2023</p> <p align="center">O.A.No.176 of 2021</p> <p>S. C. JadhavApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Advocate are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. As per the order passed by the Tribunal on 02.03.2023, learned P.O. was to file additional Affidavit along with annexures in respect of DPC Minutes.</p> <p>3. Learned P.O. sought time in view of strike of Government servants.</p> <p>4. S.O. to 31.03.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>