

**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: 16.08.2024</p> <p>O.A. No.667 of 2024</p> <p>V.A. Kadam .....Applicant Versus The State of Maharashtra &amp; 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. Learned Advocate for Applicant draws attention to Order dated 11.12.2018 of 'Commissioner of Police, Greater Mumbai' about grant of 'ACPS' which indicates equivalence of (i) 'Police Constable-Driver', (ii)'Police Constable-Cleaner', (iii) 'Police Constable- Technical'.</p> <p>3. The 'Home Department' has framed 'Maharashtra Assistant Police Sub-Inspector Driver, Police Head Constable Driver, Police Naik Driver and Police Constable Driver (Recruitment) Rules, 2019'. However, it is observed that as per '7<sup>th</sup> Pay Commission' recommendation; the 'Revised Pay' has been fixed at 'S-7': Rs.21,700/- to 69,700/- for various 'Sub-Categories' of 'Police Constables' viz (i) Police Constable - Motor Transport Service (Technical) (ii) Police Constable Store - (M.T.) (iii) Police Constable - (Khalashi) (M.T.) (iv) Police Constable (Store ) - Helper (M.T.) (v) Police Constable - Driver (Motor Transport) (vi) Police Constable - Cleaner (vii) Police Constable - (Armour) (viii) Police Constable (ix) Police Constable - (Writer).</p>

Office Notes, Office Memoranda of Coram,  
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**Tribunal's orders**

4. The learned P.O. with reference to contents of 'Para 2.1' of 'Affidavit-in-Reply' filed on 06.08.2024 on behalf of 'Commissioner of Police, Greater Mumbai' is informed to ascertain 'Total Number' of 'Sanctioned Posts' of (a) 'Police Constable-Drivers' and (b) 'Police Constable-Cleaner'.
5. The 'Commissioner of Police, Greater Mumbai' is informed to provide further clarification as to whether any 'Recruitment Rules' have been framed by 'Home Department' for various other 'Sub-Categories' listed above, besides 'Police Constables - Driver'. Further if 'Maharashtra Assistant Police Sub-Inspector Driver, Police Head Constable Driver, Police Naik Driver and Police Constable Driver (Recruitment) Rules, 2019' provides any pathway for lateral absorption from post of 'Police Constable - Cleaner' to post of 'Police Constable-Driver'. If so, whether any 'Police Constable-Cleaner' who fulfills eligibility criteria mentioned in 'Maharashtra Assistant Police Sub-Inspector Driver, Police Head Constable Driver, Police Naik Driver and Police Constable Driver (Recruitment) Rules, 2019' with exception of 'Written Examination' of 100 Marks but achieves 'Minimum Standards' prescribed for (i) 'Skill Test' for 50 Marks and (ii) Physical Test of 50 marks can be appointed to post of 'Police Constable-Driver'.
6. The learned Advocate for Applicant emphasizes that as there are no 'Recruitment Rules' for 'Police Constables - Cleaner'. So, it may necessitate clarifications to be sought from 'Home Department'. Hence, it is necessary to carry out amendment in O.A. No.667/2021 to implead 'Additional Chief Secretary, Home Department' as 'Respondent No.3'.
7. The learned Advocate for Applicant is permitted to carry out amendment in O.A. No.667/2021 to implead 'Additional Chief Secretary, Home Department' as 'Respondent No.3'.
8. S.O. to 23.08.2024.

Sd/-

(Debashish Chakrabarty)  
Member (A)

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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: 16.08.2024</p> <p>O.A. No.636 of 2023</p> <p>M.R. Sayyad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Advaita M. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The O.A. No.636/2023 does not relate to subject of 'Suspension Period'; but is about challenge to order passed by 'Disciplinary Authority' on 14.09.2019 and thereupon by 'Appellate Authority' on 01.08.2022. Hence, O.A. No.636/2023 does not come within the purview of this 'Single Bench'.</p> <p>3. The O.A. No.636/2023 may therefore be placed by 'Registrar' before appropriate 'Division Bench'.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.08.2024</p> <p style="text-align: center;">O.A. No.03 of 2024</p> <p>S.D. Lande .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant reiterates that if representations of Applicant dated 09.01.2024 &amp; 19.07.2024 submitted to 'D.G.P. Maharashtra State' requesting for transfer to the jurisdiction of 'I.G.P. Kolhapur Range' were to be considered; then Applicant would not pursue with challenge to 'Transfer Order' dated 15.12.2023' of 'D.G.P. Maharashtra State' by which he was transferred from establishment of 'Additional D.G. ATS Maharashtra State, Mumbai' to establishment of 'Commissioner of Police (Railways) Greater Mumbai'.</p> <p>3. Learned P.O. again emphasizes that representations of Applicant dated 09.01.2024 &amp; 19.07.2024 should be considered strictly as per 'Law' &amp; 'Rules' as he was transferred out 'Mid-Term' and 'Mid-Tenure' from sensitive post of 'A.P.I.' under establishment of 'Additional D.G. ATS Maharashtra State, Mumbai'.</p> <p>4. The 'D.G.P. Maharashtra State' is accordingly informed to decide within next 'Two Weeks' about request of Applicant submitted by representations dated 09.01.2024 &amp; 19.07.2024.</p> <p>5. S.O. to 30.08.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram,  
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**Tribunal's orders**

Date: 16.08.2024

O.A. No.416 of 2024 with O.A. No.423 of 2024 with  
O.A. No.424 of 2024 with O.A. No.466 of 2024 with  
O.A. No.467 of 2024 with O.A. No.959 of 2023 with  
O.A. No.1540 of 2023

A.H. Magar & Ors., .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri K.R. Jagdale, Shri G.A. Bandiwadekar, Smt. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for Applicants and Smt Archana B.K., Shri A.J. Chougule, Shri A.D. Gugale, Smt. K.S. Gaikwad. learned Presenting Officer for the Respondents.

2. Learned Advocate for Applicant states that the 'Commissioner of Police, Greater Mumbai' is yet to relieve all Applicants although it was expected to be done within 'One Week'; so as to enable them to join in other 'Police Establishments' viz (a) 'Commissioners of Police' (b) 'Spl IGP's' and (c) 'Superintendents of Police'.

3. Learned P.O. thereupon states that 'Joint Commissioner of Police (Administration)' in office of 'Commissioner of Police, Greater Mumbai' has recommended the proposal to relieve all Applicants and submitted it for due consideration of 'Commissioner of Police, Greater Mumbai' in observance of directions in 'Para 4' of Order dated 31.07.2024.

4. The 'Commissioner of Police, Greater Mumbai' as already directed in 'Para 4' of Order dated 31.07.2024 to ensure that there is no unduly delay in taking decision to relieve all Applicants; so as to enable them to join in other 'Police Establishments' viz (a) 'Commissioners of Police' (b) 'Spl IGP's' and (c) 'Superintendents of Police'.

5. S.O. to 23.08.2024.

Sd/-

(Debashish Chakrabarty)  
Member (A)

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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: 16.08.2024</p> <p>O.A. No.637 of 2024</p> <p>A.D. Mohare .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states that parawise comments are received and he will file 'Affidavit-in-Reply' within 'Two Weeks' of behalf of Respondent. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. to 30.08.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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	<p>Date: 16.08.2024</p> <p>O.A. No.636 of 2024</p> <p>K.V. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri D.R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. files 'Affidavit-in-Reply' on behalf of Respondent dated 14.08.2024. It is taken on record.</p> <p>3. Learned Advocate for Applicant seeks 'Two Weeks' time to file 'Affidavit-in-Rejoinder' on behalf of Applicant.</p> <p>4. S.O. to 30.08.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">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: 16.08.2024</p> <p>O.A. No.217 of 2024</p> <p>S.R. Thale .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Shri S.R. Thale Applicant appearing 'In Person' is absent. Smt Archana B.K., learned Presenting Officer for the Respondents is present.</p> <p>2. Learned P.O. states that parawise comments are received and she will file 'Affidavit-in-Reply' within 'Two Weeks' of behalf of Respondent. Time as prayed for is granted to learned P.O.</p> <p>3. S.O. to 30.08.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</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"><b><u>16.08.2024</u></b></p> <p align="center"><b><u>O.A 982/2024</u></b></p> <p>R.D Gaikwad ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O on instructions submit that the Respondents need two weeks' time.</p> <p>3. Hence, the implementation of the impugned show cause notice dated 25.7.2024 is stayed till the next date.</p> <p>4. S.O to 30.8.2024.</p> <p align="center">Sd/- <b>(Debashish Chakrabarty)</b> Member (A) Akn</p> <p align="center">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

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.220 of 2024</u></p> <p>S.B. Yadav ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 20.9.2024. The respondents are directed to file reply.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

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	<p style="text-align: center;"><u>MA.499/2024 in CA.23/2024 in OA.632/2016</u></p> <p>M.H. Mahajan &amp; Anr. ..Interveners And S.D. Malwade &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Deepak Pote, learned Advocate for the Interveners &amp; Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the interveners state that Applicant No.2-Harish Tukaram Mahajan has expired 1.4.2018 leaving behind Intervener No.1-Manisha Harish Mahajan and Applicant No.18-Diwakar Lakman Gandate has expired on 8.11.2017 leaving behind Intervener No.2-Varsha Diwakar Gandate as their heir and legal representatives respectively.</p> <p>3. Ld. Advocate for the interveners submit that name of interveners no.1 &amp; 2 may be brought on record as the heir and legal representatives of deceased applicant no.2 and applicant no.18 respectively and the title of CA be amended accordingly.</p> <p>4. Ld. PO submits to the order of the Court.</p> <p>5. MA is allowed and the heirs and legal representatives be brought on record of CA. Ld. Advocate for the applicants to carry out the amendment in CA and serve the amended copy to the respondents. MA disposed off accordingly.</p> <p>6. The concerned officers of Tribal Development Department and Skill Development Department are directed to remain present on the next date.</p> <p>7. CA adjourned to 23.8.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

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M.A./R.A./C.A. 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 style="text-align: center;"><u>C.A. No.114 of 2023 in O.A. No.1033 of 2015</u></p> <p>T.D. Tayde ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO produces copy of order dated 14.8.2024 and submits that deemed date of 14.12.2015 is given to the applicant as per order of the Tribunal which was given to Sarla Dhoke. Ld. Advocate for the applicant states that applicant is at Sr. No.121-A and candidates who are shown above her are whether meritorious in the list of recommendation issued by the MPSC on 24.9.2015.</p> <p>3. Ld. PO to file affidavit to the effect showing the number of the applicant in the recommendation list issued on 24.9.2015.</p> <p>4. S.O. to 6.9.2024.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p> </div> </div>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.53 of 2024 in O.A. No.336 of 2015</u></p> <p>R.A. Badekar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks time.</p> <p>3. S.O. to 6.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

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	<p align="center"><u>C.A. No.58 of 2024 in O.A. No.82 of 2017</u></p> <p>D.K. Khairnar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.S. Gaikwad, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time for filing reply.</p> <p>3. S.O. to 30.8.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

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	<p style="text-align: center;"><u>C.A. No.59 of 2024 in O.A. No.1151 of 2022</u></p> <p>P.S. Kadam ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri A.S.Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO states that writ petition is pending.</p> <p>3. S.O. to 27.9.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

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	<p style="text-align: center;"><u>M.A. No.110 of 2024 in O.A. No.220 of 2024</u></p> <p>S.B. Yadav ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Applicant has filed this MA for condoning the delay of 9 months in filing the OA. Ld. Advocate for the applicant states that the delay is unintentional and the same kindly be condoned in the interest of justice.</p> <p>3. Ld. PO though opposes the MA, submits to the order of the Court.</p> <p>4. We have considered the facts of the case and in view of para 3 of the order dated 11.7.2024 passed by this Tribunal in the above MA, the delay is condoned as it is unintentional and not deliberate. MA disposed off.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> </div> <div style="text-align: center;"> <p>Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p> </div> </div>



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	<p align="center"><u>M.A. No.264 of 2024 in O.A. No.558 of 2020</u></p> <p>P.R. Thakur ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 13.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

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	<p align="center"><u>M.A. No.408 of 2024 in O.A. No.192 of 2022</u></p> <p>M.N. Shingade ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that the applicant is facing criminal prosecution and it is still pending. In DE he is found guilty and he has undergone the punishment of stoppage of 3 increments by order dated 25.9.2017 and the same has come to an end in July, 2020. In another DE by order dated 20.2.2022 punishment of stoppage of 3 increments was awarded which is stayed by the higher authorities by order dated 13.2.2023.</p> <p>3. Ld. PO seeks time.</p> <p>4. S.O. to 30.8.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

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	<p align="center"><u>M.A.421/2024 in OA.121/2024 with OAs.120/2024, 341/2023 &amp; 342/2023.</u></p> <p>M.M. Chavan T.N. Khandekar ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Shri S.S. Dere, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time for filing reply.</p> <p>3. S.O. to 6.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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>O.A. No.837 of 2024</u></p> <p>Y.S. Thorat ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri PS. Nagargoje, learned Advocate for the Applicant and Smt. Archana B.k., learned Presenting Officer for the Respondents.</p> <p>2. Reply is not filed. Matter to proceed without reply.</p> <p>3. S.O. to 6.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

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Original Application No.

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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.182 of 2024</u></p> <p>Dr. S.A. Panchbhai ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. None for the applicant.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 13.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No.

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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.245 of 2024</u></p> <p>K.H. Borse ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.B. Chandan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 6.9.2024 by way of last chance.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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.394 of 2024</u></p> <p>S.D. Kulkarni ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 20.9.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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
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O.A. No.432 of 2024

K.S. Jadhav & Ors. ..Applicants  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.N. Patil, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. PO seeks time to file reply.

3. S.O. to 13.9.2024.

Sd/-  
(Debashish Chakrabarty)  
Member (A)  
16.8.2024

(sgj)

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson  
16.8.2024

**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.591 of 2024</u></p> <p>J.S. Toke ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.S. Raktate, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 30.8.2024 by way of last chance.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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.735 of 2024</u></p> <p>S.K. Sahane ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant states that reply of GAD is necessary.</p> <p>3. If reply is not filed the matter will proceed without reply.</p> <p>4. S.O. to 6.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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 style="text-align: center;"><u>O.A. No.748 of 2024</u></p> <p>S.T. Nikam ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 30.8.2024.</p> <p style="text-align: center;">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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IN

Original Application No.

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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.784 of 2024</u></p> <p>K.S. Adagale ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply.</p> <p>3. S.O. to 30.8.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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IN

Original Application No.

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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.802 of 2024</u></p> <p>S.B. Jangle &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.V. Waghmare, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 20.8.2024 for final hearing with liberty to file rejoinder.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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 align="center"><u>O.A. No.843 of 2024</u></p> <p>J.V. Gite ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time for filing reply.</p> <p>3. S.O. to 6.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.890 of 2024</u></p> <p>S.S. Palande ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji h/f Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time for filing reply.</p> <p>3. S.O. to 13.9.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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Original Application No.

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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.894 of 2024 with MA.447/2024</u></p> <p>C.M. Kadam ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 23.8.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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>M.A. No.506 of 2024 in O.A. No.604 of 2024</u></p> <p>M.R. Shelke ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p align="center">Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 20.8.2024.</p> <p align="center">Sd/- (Debashish Chakrabarty) Member (A) 16.8.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.8.2024</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>M.A. No.472 of 2024 in O.A. No.1232 of 2023</u></p> <p>N.M. Jadhav ..Intervener And L.M. Koli &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri S.A. Walimbe, learned Advocate for the Intervener, Shri B.A. Bandiwadekar, learned Advocate for the Applicants and K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 27.8.2024.</p> <p align="center">Sd/- Sd/- (Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson 16.8.2024 16.8.2024 (sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET NO.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.08.2024</p> <p>O.A. No.807 of 2024</p> <p>T.M. Garge .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents.</p> <p>2. Learned P.O. presents copies of two orders dated 14.08.2004 which have been issued by 'Tourism and Culture Affairs Department' in respect of Applicant viz (i) 'Order of Cancellation' of earlier Order dated 11.06.2024 of 'Deemed Suspension' and 'Corrigendum' dated 30.07.2024 (ii) 'Order of Suspension' dated 14.08.2024.</p> <p>3. Learned P.O. thereupon states that 'Tourism and Culture Affairs Department' has therefore complied with directions in 'Para 6' of 'Order' dated 08.08.2024.</p> <p>4. Learned Advocate for Applicant thereafter states that they would like to go through the new 'Order of Suspension' dated 14.08.2024 of Applicant and accordingly seeks time till 20.08.2024.</p> <p>5. S.O. to 20.08.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</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: 16.08.2024</p> <p>O.A. No.870 of 2023</p> <p>S.S. Umap .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant through Video-Conference and Shri A.J. Chougule, learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant states that 'District Collector, Pune' has out-rightly failed to implement specific directions given in (a) 'Para 4' of Order dated 12.04.2024 and (b) 'Para 5' of the Order dated 02.07.2024 about transfer of Applicant to 'Vacant Post' of 'Talathi' at 'Dive', Tahsil Purandar'.</p> <p>3. Learned Advocate for Applicant then emphasizes that instead of transferring Applicant who is 'Ex-Servicemen' to 'Vacant Post' of 'Talathi' at 'Dive', Tahsil Purandar'; for reasons not known 'District Collector, Pune' has chosen to post 'Shri Ashok B. Kadam' to 'Vacant Post' of 'Talathi' at 'Dive', Tahsil Purandar'.</p> <p>4. Learned Advocate for Applicant further draws attention to advisory in 'Divisional Commissioner, Pune' letter dated 08.08.2024 to 'District Collectors' of 'Pune Division'; including about observance of 'Judgments' &amp; 'Orders' passed by 'Courts of Law' while undertaking 'General Transfers : 2024'.</p> <p>5. The 'District Collector, Pune' has issued 'Transfer Order' dated 14.08.2024 of 'Talathi' cadre during 'General Transfer 2024' but instead of Applicant has transferred 'Shri Ashok B. Kadam' on 'Vacant Post' of 'Talathi' at 'Dive', Tahsil Purandar'.</p>

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

Tribunal's orders

6. The 'District Collector, Pune' has '*prima-facie*' acted in contemptuous manner as specific directions had been given in (a) 'Para 4' of Order dated 12.04.2024 and (b) 'Para 5' of the Order dated 12.07.2024 regarding transfer of Applicant to 'Vacant Post' of 'Talathi' at 'Dive', Tahsil Purandar'. The 'District Collector, Pune' it appears has also not bothered to act as per advisory given by 'Divisional Commissioner Pune Division letter dated 08.08.2024.

7. The 'Transfer Order' dated 14.08.2024 of 'District Collector Pune' is therefore stayed limited to transfer of 'Shri Ashok B Kadam' on 'Vacant Post' of 'Talathi' at 'Dive', Tahsil Purandar'.

8. The 'District Collector, Pune' is given last chance to redeem himself from any further proceedings under 'Contempt of Courts Act, 1971' read with provisions of 'Section 17' of 'The Administrative Tribunals Act, 1985'.

9. The 'District Collector, Pune' would not only be expected to immediately implement the 'Stay Order' as recorded above but thereafter implement without fail earlier directions in (a) 'Para 4' of Order dated 12.04.2024 and (b) 'Para 5' of the Order dated 12.07.2024 to transfer of Applicant to 'Vacant Post' of 'Talathi' at 'Dive', Tahsil Purandar'; as Applicant deserves to be accorded precedence over 'Shri Ashok B Kadam' being an 'Ex-Servicemen' as per 'Policy Guidelines' in 'G.A.D. G.R. dated 21.11.2022' read with 'G.A.D. G.R. dated 09.04.2018'.

10. S.O. to 21.08.2024.

Sd/-

(Debashish Chakrabarty)  
Member (A)

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.1001/2024**

S.M. Vasekar .Applicant  
Vs.

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

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant (through video conference) and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

2. Applicant is working as Police Inspector posted at Special Branch, Nagpur challenges order dated 30.01.2024 thereby transferred him from Solapur to Nagpur City.

3. Learned Counsel has submitted that the Applicant was transferred from Nagpur to Solapur on the post of PI. He worked there for hardly six to seven months and then he was immediately transferred to Nagpur City. Learned Counsel has submitted that in view Notification, if any, under Section 28-A of the Representation of People's Act, 1951, the Code of Conduct of Lok Sabha Elections of 2024 was over on 04.06.2024. Thereafter he made representation of retransferring him from Nagpur to Solapur on 28.06.2024 (copy of the same is not annexed to O.A.)

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

5. Issue notice before admission returnable on 06.09.2024.

6. 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.

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

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

9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the 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.

10. Adjourned to 06.09.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.962/2024**

A.V. Patil .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. Kiran Nagarkar holding for Ms. S.S. Kulkarni, learned Counsel for the Applicant (through video conference) and Mr. D.R. Patil, learned Presenting Officer for the Respondents
2. Applicant, working as Junior Clerk is challenging the promotion order dated 31.07.2024 to the extent of the Applicant shown at Serial No.240 by change place of post from Government Medical College and Hospital Baramati to Sasun Sarwopachar Ragunalaya, Pune or B.J. Medical College, Pune on the post of Senior Clerk.
3. Learned Counsel has submitted that the applicant made representation dated 14.09.2023 for promotion at Sasun Hospital at Pune for the reason that the applicant's son is suffering from 'Remote epilepsy' medical problem of brain. Learned Counsel has submitted that notice is issued on 09.08.2023 and till today no affidavit-in-reply is filed.
4. Learned P.O. seeks further time to file affidavit-in-reply.
5. In view of above, I am of the view that if there is any vacant post of Senior Clerk at Pune, and then temporarily he can be allowed to continue in Pune, till reply is filed.
6. Adjourned to 23.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk



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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.962/2024**

A.V. Patil .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. Kiran Nagarkar holding for Ms. S.S. Kulkarni, learned Counsel for the Applicant (through video conference) and Mr. D.R. Patil, learned Presenting Officer for the Respondents
2. Applicant, working as Junior Clerk is challenging the promotion order dated 31.07.2024 to the extent of the Applicant shown at Serial No.240 by change place of post from Government Medical College and Hospital Baramati to Sasun Sarwopachar Ragunalaya, Pune or B.J. Medical College, Pune on the post of Senior Clerk.
3. Learned Counsel has submitted that the applicant made representation dated 14.09.2023 for promotion at Sasun Hospital at Pune for the reason that the applicant's son is suffering from 'Remote epilepsy' medical problem of brain. Learned Counsel has submitted that notice is issued on 09.08.2023 and till today no affidavit-in-reply is filed.
4. Learned P.O. seeks further time to file affidavit-in-reply.
5. In view of above, I am of the view that as the Applicant is working on post at Pune, if there is any vacant post of Senior Clerk at Pune, and then temporarily he can be allowed to continue at Pune, till reply is filed.
6. Adjourned to 23.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.944/2024**

S.B. Bandgar .....Applicant  
Vs.

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

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant (through video conference) and Mr. A.D. Gugale, learned Presenting Officer for the Respondents

2. At the request of learned P.O. adjourned 30.08.2024

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>16.08.2024</u></b></p> <p style="text-align: center;"><b><u>O.A 1005/2023</u></b></p> <p>S.B Janave ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Pooja Mankoji i/b Shri S.S Dere, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Applicant working as D.C.P. Pune, Shivaji Nagar challenges order dated 03.07.2024 qua the applicant transferring him from the post of ACB Pune to the post of Prime Investigation Department, Kolhapur and also challenges transfer of Private Respondent no.4 in her place.</p> <p>3. Learned Counsel challenges the said order dated 03.07.2024 on the following grounds:-</p> <p>(a) By letter dated 22.07.2024 the D.G., has informed the Additional Chief Secretary, Home that the applicant has not asked for transfer and he has not completed the tenure of two years. Applicant was transferred on the present post on 22.05.2023, so she will be due for transfer on 22.05.2025.</p> <p>(b) The observations made is stated that as per the request made by the applicant she is transferred to Kolhapur. However, this statement is false because she has never made any request to the Respondent-State to transfer her to Kolhapur after 23.05.2023.</p> <p>4. Learned P.O. has submitted that the proposal of cancelling the transfer of the applicant is pending with the Deputy C.M.</p> <p>5. Learned Counsel Mr. Dere is on video conference and he states that applicant is present in the court. and the same is confirmed. Learned Counsel has submitted that the Applicant is not yet relieved by Respondent no.3 and she is working in the office of Respondent No.3.</p> <p>6. Learned P.O submits that neither the applicant nor Respondent No. 2 are relieved and they are working at the respective places.</p> <p>7. In view of the submissions of the learned P.O, Parties are directed to maintain status quo as the proposal of cancellation of the transfer of the applicant is pending before the Hon'ble Deputy Chief Minister.</p> <p>8. S.O to 30.8.2024.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>Akn</p>

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.943/2024**

A.R. Hivarkar .....Applicant  
Vs.

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

1. Heard Mr. P.M. Nagargoje, learned Counsel for the Applicant (through video conference) and Mr. A.J. Chogle, learned Presenting Officer for the Respondents

2. At the request of learned P.O. adjourned 30.08.2024

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.851/2024**

P.V. Marulkar .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant, Ms. K.S. Gaikwad learned Presenting Officer for the Respondents and Mr. C.T. Chandratre, learned Counsel for the Respondent No.4.
2. Applicants want to complete her term of deputation which is of three years and which can be extended for further two years, if the same is agreeable to both. Learned Counsel for Respondent No.4 has submitted that the services of the Applicant are required by the Department.
3. Learned Counsel Mr. Bhosale seeks permission to amend to replace Exhibit-A5.
4. Permission granted. Amendment by carried out forthwith. Amended copy be served upon the concern forthwith.
5. Learned P.O. seeks time to file affidavit-in-reply.
6. Time granted till 30.08.2024 for filing affidavit-in-reply. Respondent is directed to extend the notice period till further date.
7. Adjourned to 06.09.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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

Tribunal's orders

**Date : 16.08.2024**

**M.A.No.467/2024 in O.A.No.63/2024 (Nagpur)**

The State of Maharashtra & Ors.

....Appli(Org. Respd.)

Vs.

S.G. Umap & Ors.

....Respd (Org. Appli).

1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Applicants (Original Respondents). None for the Respondents (Org. Applicants)

2. Applicants (Original Respondents) has filed M.A.No.467/2024 is filed seeking transfer of O.A.No.63/2024 filed at M.A.T. Bench Nagpur Bench to M.A.T. Mumbai under Section 25 of the Administrative Tribunals Act, 1985

3. Adjourned to 19.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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

Tribunal's orders

**Date : 16.08.2024**

**M.A.No.466/2024 in O.A.No.1048/2023 (Nagpur)**

The State of Maharashtra & Ors.

....Appli(Org. Respd.)

Vs.

R.P. Varhade & Ors.

....Respd (Org. Appli).

1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Applicants (Original Respondents). None for the Respondents (Org. Applicants)

2. Applicants (Original Respondents) has filed M.A.No.466/2024 is filed seeking transfer of O.A.No.1048/2023 filed at M.A.T. Bench Nagpur Bench to M.A.T. Mumbai under Section 25 of the Administrative Tribunals Act, 1985

3. Adjourned to 19.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**M.A.No.468/2024 in O.A.No.307/2024 (A'bad)**

The State of Maharashtra & Ors.

....Appli(Org. Respd.)

Vs.

P.D. Chaware & Ors.

....Respd (Org. Appli).

1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Applicants (Original Respondents) and Ms. Vaidehi Pradeep, learned Counsel for the Respondents (Org. Applicants)

2. Applicants (Original Respondents) has filed M.A.No.468/2024 is filed seeking transfer of O.A.No.307/2024 filed at M.A.T. Bench Aurangabad Bench to M.A.T. Mumbai under Section 25 of the Administrative Tribunals Act, 1985

3. Adjourned to 19.08.2024 .

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk



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

Tribunal's orders

**Date : 16.08.2024**

**M.A.No.465/2024 in O.A.No.922/2024 (A'bad)**

The State of Maharashtra & Ors.

....Appli(Org. Respd.)

Vs.

V.V. Nakhate & Ors.

....Respd (Org. Appli).

1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Applicants (Original Respondents) and Ms. Vaidehi Pradeep, learned Counsel for the Respondents (Org. Applicants)

2. Applicants (Original Respondents) has filed M.A.No.465/2024 is filed seeking transfer of O.A.No.922/2024 filed at M.A.T. Bench Aurangabad Bench to M.A.T. Mumbai under Section 25 of the Administrative Tribunals Act, 1985

3. Adjourned to 19.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.794/2024**

P.V. Marulkar .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Ms. K.S. Gaikwad learned Presenting Officer for the Respondents
2. Learned P.O. seeks time to take instructions.
3. Time granted. Adjourned to 23.08.2024

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.791/2024**

V.M. Khedkar .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicant and Ms. Archana B.K. learned Presenting Officer for the Respondents
2. Reply is filed. Admit. Place for Final Hearing.
3. Adjourned to 06.09.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.769/2024 with O.A.No.761/2024**

U.B. Omase & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Ms. Pooja Mankoji holding for Mr. S.S. Dere, learned Counsel for the Applicant, Mr. A.D. Gugale, learned Presenting Officer for the Respondents in O.A.No.769/2024, Mr. A.J. Chougule, learned Presenting Officer for the Respondents No.761/2024.

2. At the request of learned P.Os. adjourned to 30.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.762/2024**

R.S. Jagtap

.....Applicant.

Vs.

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

1. Heard Ms. Pooja Mankoji holding for Mr. S.S. Dere, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. At the request of learned P.O. adjourned to 30.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.697/2024**

A.S. Shaikh

.....Applicant.

Vs.

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

1. Heard Mr. A.D. Gugale, learned Presenting Officer for the Respondents. None for the Applicant.

2. At the request of learned P.O. adjourned to 30.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**M.A.No.471/2024 in M.A.St.1329/2024 (A'bad)**  
**O.A.St. No.1330/2024 (A'bad)**

S.S. Ganjale & Ors. ....Applicants.  
Vs.

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

1. Heard Mr. V.B. Wagh, learned Counsel for the Applicants and Mr. A.D. Gugale, learned Presenting Officer for the Respondents.

2. At the request of learned Counsel adjourned to 23.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

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

Tribunal's orders

**Date : 16.08.2024**

**O.A.No.1577/2023 with M.A.No.45/2024**

A.L. Dure .Applicant  
Vs.

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

1. Heard Chagan Thakare i/b. Mr. Talekar, learned Counsel for the Applicant, Mr. A.J. Chougule, learned Presenting Officer for the Respondents and Mr. Bhushan A. Bandiwadekar, learned Counsel for Respondent No.3.

2. At the request of learned Counsel Mr. Thakare adjourned to 27.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson



**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"><b><u>16.08.2024</u></b></p> <p align="center"><b><u>O.A 1006/2024</u></b></p> <p>S.S Mali ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. By order dated 14.08.2024 the Respondent no.1, P.W.D. ousted the Applicant from the post of Superintendent Engineer, Solapur and in his place Respondent no.2 is brought from the post of Superintendent Engineer, Public Work Circle, Yeotmal.</p> <p>3. Learned Counsel has submitted that no CBS meeting was conducted by the Respondent-Department and Applicant has completed only two years and 10 months on the existing post. Applicant was promoted and posted by order dated 21.10.2021 from Ratnagiri to Solapur. Earlier Applicant was working as Executive Engineer at Ratnagiri. Respondent No.2 was earlier posted at Solapur, thereafter at Rashtriya National Highway Circle, Pune and on his request, he was transferred to Yavatmal on 24.03.2023. He has submitted that again on request of Respondent no.2, he was transferred from Yavatmal to Solapur at Applicant's in place of the applicant.</p> <p>4. Learned P.O. has submitted that the Applicant has not served on the Private Respondent No.2. She has submitted that Respondent no. 2 joined the said post on the place of the applicant on 14.08.2024 at 6.15 p.m. Learned P.O is directed to inform Respondent No. 1 to serve notice on Respondent No. 2.</p> <p>5. Learned Counsel Mr. Bandiwadekar has pointed out Exhibit-K letter dated 14.08.2024 sent by Mr. Atul Chakan, Chief Executive Engineer, Pune informing him that he cannot take unilateral charge when the applicant was on duty. Respondent No.2 was not relieved from his office at Yavatmal.</p> <p>6. Learned P.O on instructions from Shri D.V. Kharke, Under Secretary, P.W.D, submits that Shri Dhotre, Respondent No. 2, handed over the charge to Shri Chandrakant Mehtre, Superintending Engineer, P.W.D after 12.00 noon</p>

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

Tribunal's orders

7. Learned counsel for the applicant countering the submissions of learned P.O submits that the order of transfer dated 14.8.2024 was uploaded at 2.57 pm and as per Exh. K, page 81, the letter of Chief Engineer written to Respondent No. 2 on 14.8.2024, it is mentioned that Respondent No. 2 called Mr Chavan at 3.29 pm and that he be allowed to take charge and join.

8. I have gone through the letter and considered the submissions made by both the parties. It appears from the letter dated 14.8.2024 that there is something mysterious about the timing of handing over the charge at Yevatmal on 14.8.2024 and taking over charge at Solapur on 14.8.2024 at 6.15 pm, on the same day. Learned P.O further submitted that Respondent No. 1, PWD, has received email at 6.15 pm that Respondent No. 2 has taken charge at Solapur on 14.8.2024.

9. Though it is submitted that there are complaints against the applicant, still prima facie it appears that the applicant has good case on the point of transfer. However, it is necessary to give fair opportunity to both Respondent No. 1 & 2 to place more and correct facts about the transfer. Learned P.O to give answer why mandatory injunction in favour of the applicant and against the Respondent No. 2 is not to be issued.

10. S.O to 19.8.2024 at 10.20 am.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

IN

Original Application No.

of 20

## FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><b><u>16.08.2024</u></b></p> <p style="text-align: center;"><b><u>M.A 512/2024 in O.A 957/2024</u></b></p> <p>Prashant Suryawanshi ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.V Sakolkar a/w Shri Amol Patil, learned advocate for the applicant, Shri A.J Chougule, learned P.O for the Respondents No 1 &amp; 2 and Smt Punam Mahajan, learned counsel for Respondent No. 3 through Video Conference.</p> <p>2. As per submissions of learned Counsel Ms. Mahajan order dated 14.08.2024 her presence is wrongly shown. However, she was not available on V.C when the matter was called out. Hence, speaking to minutes.</p> <p>3. Learned Counsel Ms Mahajan seeks time to file affidavit-in-reply. At Serial No.15 (page 23) name of the applicant is appearing. He was making as competent authority committed in SRA Mumbai. By this order he was transferred as Deputy Collector, land acquisition, Centre-3, Panvel</p> <p>4. By order dated 06.08.2024 at 4.45 status quo order was passed. Learned Counsel has submitted that as per the said order of status quo no transfer order should have been approved or issued by the Respondent.</p> <p>5. Learned P.O. states that the file of SRA was moved to the Hon'ble Minister Mr. Atal Surve. The said file was approved by the Minister on 06.08.2024 at 4.00 pm and at 4.45 pm the Tribunal passed the order of status quo</p> <p>6. Learned counsel pointed out that on 13.08.2024, Section Officer, Mr. Talekar issued order that Respondent No.3 should be posted and applicant should be relieved</p> <p>7. On query made to learned P.O. in the presence of Officer, Shri Pravin Talekar Section Officer has submitted that unless Hon'ble Minister approves the file no officer can take charge or join SRA. I, therefore, asked the Respondent-Department whether at that time she has taken charge on 06.08.2024. Shri. Talekar informed that till today Respondent No.3 has not taken charge of the post.</p> <p>8. Respondent No.3 is present in the Tribunal [PTO.</p>

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

Tribunal's orders

9. The present Misc Application is filed by the applicant and prays that the impugned order dated 13.8.2024 thereby relieving the applicant from the post of Competent Authority No. 7, Slum Rehabilitation Authority (SRA) and joining the Respondent No. 3, on the post of Competent Authority No. 7, Slum Rehabilitation Authority (SRA), be quashed and set aside, as it is contrary to the order dated 6 .8.2024, wherein this Tribunal has directed Respondent No. 2 to maintain 'Status Quo'.

10. Learned counsel for Respondent No. 3, submits to the orders of the Court.

11. Learned P.O on instructions from Shri Pravin Talekar, Section Officer, Housing Department, produce copy of letter dated 16.8.2024, in which it is stated that Respondent No. 3, has not yet joined the office of Competent Authority No. 7, Slum Rehabilitation Authority (SRA) and the same is under consideration. The said letter is taken on record and marked as Exh. I. Learned P.O further submits that the Respondent-State is ready and willing to withdraw the transfer order dated 13.8.2024.

12. Hence, the oral statement of learned counsel for the Respondent No. 3, that she has taken charge is incorrect.

13. The letter dated 16.8.2024 does not mention that the transfer order is withdrawn. I am of the view that the Respondent-State ex-facie committed contempt of the order of this Tribunal dated 6.8.2024. In the letter dated 16.8.2024, the Respondents have not stated that they have withdrawn the order dated 13.8.2024. Now learned P.O submits that today the Respondents will issue the order cancelling the impugned order dated 13.8.2024. This statement is accepted.

14. Accordingly, Mis Application stands disposed of, as the Respondents are going to issue the order cancelling the impugned order dated 13.8.2024.

15. O.A No. 957/2024 (Caveat No. 30/2024) is already fixed on 26.8.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

Akn

**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><b>Date : 16.08.2024</b></p> <p align="center"><b>O.A.No.992/2024</b></p> <p>K.V. Barve .Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents</p> <p>2. Applicant challenges impugned order dated 13.10.2023 passed by the Respondent No.1 to the extent to which the same has issued the posting order to the Applicant on promotion to the post of Assistant Commissioner of Police to Nagpur City.</p> <p>3. Learned Counsel has submitted that Applicant, working as Senior Police Inspector in the Welfare Department, Mira-Bhayandar challenges order dated 13.10.2023. Applicant is posted at Nagpur by way of promotion to the post of Assistant Commissioner of Police. Applicant challenges the order to the extent of his posting at Nagpur. Learned Counsel has submitted that the Applicant wants to be posted at the options given by him on the promotional post i.e. at any of the Police Commissionerate such as Mira Bhayandar, Thane, Mumbai, and Navi Mumbai. He seeks this transfer on humanitarian ground as his wife is suffering from stage 3 ovarian cancer which is detected in December, 2023. Applicant made representation on 20.01.2024.</p>

Office Notes, Office Memoranda of Coram,  
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Tribunal's orders

4. Learned P.O. has submitted that on 12.03.2024 the Applicant refused promotion on the ground that he cannot leave Mumbai and go to Nagpur as his wife is suffering from ovarian cancer. By letter dated 05.04.2024 the State informed the applicant the consequences of denial of promotion.

5. Though the Applicant has refused the promotion it appears from the record and as per the instructions given by Mr. Venkatesh Bhat, Joint Secretary, Home Department to learned P.O. that the Department did not issue the order of cancellation of promotion of the applicant to the post of Assistant Commissioner of Police which was given to him by order dated 13.10.2023. Therefore as the promotion is not cancelled and the applicant has been working on the post of Senior Police Inspector continuously since 13.10.2023 till today and accepting the salary of Senior Police Inspector, Respondent-Department is directed to look into his general record and Medical papers of the wife of the applicant and if at all, it is the case required to be considered on humanitarian ground verify whether the applicant can be accommodated in any place at Mumbai on the post of executive.

6. Adjourned to 22.08.2024.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk