

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>16.09.2022</u></p> <p style="text-align: center;"><u>O.A 922/2022</u></p> <p>Shri Kunal A Jadhav &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Ganesh Masurkar holding for Shri C.T Chandratre, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicants have challenged the impugned order dated 29.6.2022, issued by Respondent no. 2 and after examining its legality and validity the Hon'ble Tribunal be pleased to hold and declare that the said order is illegal.</p> <p>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 14.10.2022.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>8. In case notice is not collected within <u>seven</u> days or service report on affidavit in 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 Applications shall stand dismissed."</p> <p>9. S.O 14.10.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(<del>Medha</del> Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.542 of 2020</u></p> <p>Dr. B.H. Tadvi ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 &amp; 2 and Shri M.D. Lonkar, learned Advocate for Respondent no.3.</p> <p>2. Smt. Punam Mahajan, learned Advocate for the applicant has filed leave note.</p> <p>3. Ld. CPO submits that applicant was promoted to the post of Dy. Commissioner, Senior Grade, Group A, State Excise by order dated 4.8.2022. The issue now remains only about deemed date and whether respondent no.3 is going to be adversely effected.</p> <p>4. S.O. to 19.9.2022.</p> <p align="center">Sd/- (Medhā Gadgil) Member (A) 16.9.2022 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 16.9.2022</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><b>Date : 16.09.2022</b></p> <p><b>C.A.No.48 of 2022 in O.A.No.110 of 2019</b></p> <p>S.H. Pathan .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.B. Kadam, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. on instructions informs that within 15 days posting order of the applicant will be issued.</p> <p>3. Respondent No.2, Collector, Sangli is hereby directed to issue the order of posting of the Applicant within 15 days. If this order is not issued we fill issue notice of contempt.</p> <p>4. Adjourned to 30.09.2022.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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DISTRICT

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The State of Maharashtra and others

..... Respondent/s

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 16.09.2022
	<p><b>O.A.No.325 of 2018 with O.A.No.13 of 2020</b></p> <p>A.M. Jadhao R.S. Pawar .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant in O.A.No.13/2020, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. Ganesh Masorkar, learned Advocate holding for Mr. C.T. Chandratre, learned Advocate for the Respondent.</p> <p>2. Though amendment is carried out yet since last six weeks the State and Private Respondent has not filed reply.</p> <p>3. Learned C.P.O. informs that though the letter is written from the office of C.P.O, no instructions are received.</p> <p>4. Learned Advocate Mr. Masorkar submits that if Government is going to file reply then he will not file reply. Be that as may be. If reply is not file by next date, matter to proceed without reply to the amended O.A. against the State. Respondents to take decision whether they want to file reply or not.</p> <p>5. Adjourned to 14.10.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 16.09.2022
	<p align="center"><b>C.A.No.10 of 2020 in O.A.No.434 of 2014</b></p> <p>M.C. Gosavi .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. prays for adjournment in view of the pending Civil Writ Petition No.3822 of 2022 before the Hon'ble High Court.</p> <p>3. Adjourned to 04.11.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A) prk</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

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	<p><b>Date : 16.09.2022</b></p> <p><b>O.A.No.442 of 2022 with O.A.No.443 of 2022 with O.A.No.444 of 2022</b></p> <p>A.N. Bhutekar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. P.S. Anerao, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate Mr. Anerao and Mr. V.S. Kadam, present O.As are to be tagged along with O.A.No.701/2022 with O.A.No.813/2022 and O.A.No.815/2022.</p> <p>3. Adjourned to 27.09.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member(A) prk</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

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	<p><b>Date : 16.09.2022</b></p> <p style="text-align: center;"><b>O.A.No.243 of 2022</b></p> <p>D.P. Pathare .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. None for the Applicant. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On instructions learned P.O. submits that after contacting ACP, Mr. Satish Mane from Pimpri-Chinchwad that the said Respondent No.2 wants time to go through the legal position as per law laid down by the Hon'ble Supreme Court in the case of <b>R.K. Sabharwal &amp; Ors. Versus State of Punjab and Ors. reported in AIR 1995 SC 1371</b> on the point of migration. Learned P.O. submits that she will prepare the revised list for that purpose.</p> <p>3. Adjourned to 27.09.2022</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

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	<p style="text-align: center;"><u>O.A. No.135 of 2020</u></p> <p>Jyoti R. Choudhary ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p style="text-align: center;">Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In the above matter Ld. Advocate Shri M.D. Lonkar is appointed as Amicus Curiae.</p> <p>3. S.O. to 23.9.2022. Part Heard.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p>Sd/-</p> <p>(Medha Gadgil)</p> <p>Member (A)</p> <p>16.9.2022</p> <p>(sgj)</p> </div> <div style="text-align: center;"> <p>Sd/-</p> <p>(Mridula Bhatkar, J.)</p> <p>Chairperson</p> <p>16.9.2022</p> </div> </div>



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	<p><b>Date : 16.09.2022</b></p> <p><b>O.A.No.686 of 2022</b></p> <p>S.K. Gulhane .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.K. Hande, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate seeks time to file affidavit of service.</p> <p>3. Adjourned to 21.10.2022.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><b>Date : 16.09.2022</b></p> <p><b>O.A.No.794 of 2022</b></p> <p>N.G. Gaikwad .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. V.S. Kadam, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that he has already filed affidavit-in-service. Registry is directed to remove this matter from the caption of 'For Dismissal'</p> <p>3. Adjourned to 27.09.2022.</p> <p>Sd/- (Medha Gadgil) Member(A) prk</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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.1043 of 2021</u></p> <p>A.S. Jaiswal ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this case the applicant prays for quashing the order dated 8.12.2021 passed by respondent denying promotion to the applicant. His name is found in the list of doubtful integrity. The applicant was acquitted by the Special Judge, Greater Mumbai by order dated 31.1.2019 in ACB Special Case No.94/13 filed under Section 13(1)(c) r/w 13(2) of Prevention of Corruption Act, 1988 r/w 109 IPC. The applicant had earlier filed OA No.573 of 2019 and this Tribunal by order dated 18.1.2021 disposed off the said OA. Para 4 and 5 of the said order reads as follows:</p> <p align="center">"4. On query we are informed that no DE is pending against the applicant. The applicant is acquitted. The pendency of criminal appeal against acquittal before the Hon'ble High Court is not a ground to deny Government servant for being considered for promotion, if found fit otherwise. We have taken similar view in our order dated 7.1.2021 in OA No.818 of 2019 and thus we allow the present OA No.573 of 2019 in following terms.</p> <p align="center">5. The case of the applicant is to be considered for promotion to the rank of Joint Commissioner of State Tax, if he is found fit otherwise within eight weeks from today and to communicate the order to the applicant within two weeks thereafter."</p> <p>3. On this factual background and order earlier passed by us and the decision taken by Establishment Board of GAD recommendation was received by Finance Department</p>

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	<p>from GAD by letter dated 26.10.2021. On 8.10.2021 Finance Department wrote letter to GAD by sending proposal. Establishment Board of GAD considered the case of the applicant where remarks was passed that name is appearing in the list of doubtful integrity of July, 2019. We refer the GR dated 30.10.2006 giving guidelines and procedure for preparation of the list of civil servant who are having doubtful integrity.</p> <p>4. We direct the respondents to verify whether the list of doubtful integrity was reviewed in July, 2019 as the applicant was acquitted on 31.1.2019 and thereafter whether the list was reviewed in the months of July, 2020, 2021 and 2022 as per GR dated 30.10.2006. And also to produce guidelines of review.</p> <p>5. S.O. to 22.9.2022.</p> <p style="text-align: center;">Sd/- <span style="float: right;">Sd/- </span></p> <p style="text-align: center;">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span></p> <p style="text-align: center;">Member (A) <span style="float: right;">Chairperson</span></p> <p style="text-align: center;">16.9.2022 <span style="float: right;">16.9.2022</span></p> <p>(sgj)</p>

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	<p>Date: 16.09.2022</p> <p>O.A. No.840 of 2022</p> <p>U.S. Chavan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged suspension order dated 04.10.2021 whereby he is suspended invoking Rule 4(1)(c) of M.C.S. (Discipline &amp; Appeal) Rules, 1979.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 14.10.2022.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>9. S.O. to 14.10.2022.</li> </ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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DISTRICT

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(Presenting Officer.....)

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	<b><u>O.A.380/2021 with O.A.392/2021</u></b>
	<p><b>Shri B.M. Chodankar &amp; Ors.</b>  <b>Shri S.S. Sali &amp; Ors.</b>                                 ... Applicants  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b>                                 ... Respondents</p> <p>1. Applicants and their Advocate absent. Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. Adjourned for final hearing to give one opportunity.</p> <p>3. S.O. to 4<sup>th</sup> October, 2022.</p> <p style="text-align: right;">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member-J</b>  <b>16.09.2022</b></p> <p>(skw)</p>

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	<p align="center"><u>O.A.777/2021 with O.A.792 &amp; 793/2021</u></p> <p><b>Shri Y.B. Akolkar</b>  <b>Shri S.R. Patil</b>  <b>Shri P.B. Bhangare</b>                   ... Applicants  <b>Vs.</b>  <b>The State of Mah. &amp; Ors.</b>         ... Respondents</p> <p>1. Applicants and their Advocate absent. Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. Perusal of record reveals that Applicants and their Counsel are not attending the matter regularly. On previous date also, they were absent but matter was adjourned for giving opportunity. Today again, they are absent. Thus they appear not interested in the matter. All these O.As, therefore, dismissed for default.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member-J</b>  <b>16.09.2022</b></p> <p>(skw)</p>

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	<b><u>O.A.102/2021</u></b>
	<p><b>Shri T.A.K.N.A.K. Pathan      ... Applicant</b> <b>Vs.</b> <b>The State of Mah. &amp; Ors.      ... Respondents</b></p> <p>1. Shri K.R. Jagdale learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. On request of learned P.O, one week time is granted to file copies of deposition and record of enquiry as a last chance.</p> <p>3. S.O. to 27.09.2022.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> <b>Member-J</b> <b>16.09.2022</b></p> <p>(skw)</p>



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	<p style="text-align: center;"><b><u>O.A.195/2022 with O.A.1061/2021</u></b></p> <p><b>Shri T.S. Sable</b> <b>Shri B.G. Karde</b> ... Applicants <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p>2. In both the O.As, the Applicants are claiming the benefit of old pension scheme.</p> <p>3. In O.A.No.195/2022, the Applicant was appointed on the post of Talathi by order dated 24.01.2006 whereas in O.A.No.1061/2021, the Applicant was appointed on the post of Clerk by order dated 22.02.2006. There is no denying that both the Applicants were initially working as Copying Clerk and in terms of G.R. dated 10.03.2005, they were later taken in Government service. Both stand retired on 31.05.2016.</p> <p>4. The Applicants approached this Tribunal for applicability of old pension scheme inter-alia contending that they deemed to have been absorbed and appointed in Government service w.e.f.10.03.2005 so as to hold entitled for old pension scheme.</p> <p>5. The Government by notification dated 31.11.2005 introduced new contributory pension scheme for those who are recruited on or after 1<sup>st</sup> November, 2005. It is on the basis of it, the Respondents have not granted old pension scheme and they are governed by contributory pension scheme.</p>

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6. During the course of hearing, on the repeated queries raised by the Tribunal, it is transpired that the Respondents have already applied contributory pension scheme to the Applicants and have extended certain benefits. Strangely, Affidavit-in-reply is totally silent on this point.

7. Applicant Shri Kurde in O.A.1061/2021 is present and fairly admits that he is given certain benefits of contributory pension scheme. The Applicant Sable in O.A.No.195/2022 must be also getting certain benefits of contributory pension scheme. Disgusting to note that these facts are suppressed by the Applicants neither it is brought on record by the Respondents, which shows very sorry state of affairs.

8. Whether Applicant is entitled to old pension scheme has to be of course decided irrespective of the benefits Applicants are already getting under contributory pension scheme. If Applicants are found entitled to old pension scheme, the benefits received under contributory pension scheme are required to be adjusted and unless the details of the benefits are forthcoming, the matter cannot be heard finally.

9. In view of above, the Applicants are directed to file Additional Affidavit making it clear as to what benefits they are receiving under contributory pension scheme. Likewise, Respondents are also directed to file Additional Affidavit-in-reply about the benefits of contributory pension scheme given to the Applicants.

10. One week time is granted to file Additional Affidavits.

11. S.O. to 23<sup>rd</sup> September, 2022.

Sd/-

**(A.P. Kurhekar)**  
**Member-J**  
**16.09.2022**

(skw)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p>O.A. No.916 of 2022</p> <p>P.R. Acharekar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is second round of litigation seeking retiral benefits because of pendency of D.E. In first round of litigation i.e. O.A. No.89 of 2020 the Applicant was granted similar relief and the said O.A. was disposed of with direction to the Respondents to complete D.E. including passing final order therein within three months from the date of order. The period of more than three months is over from the order dated 03.02.2020 but D.E. is not finalized. Recently by order dated 05.05.2021, Respondents issued show cause notice to the Applicant as to why 6% pension for four years should not be deducted to which the Applicant has already submitted Reply.</p> <p>3. Thus <i>ex-facie</i> there is no compliance of the order passed by the Tribunal in O.A. No.89/2020 on 03.02.2020. No extension was sought by the Respondents for extending the period given by the Tribunal by order dated 03.02.2020. As such, <i>prima-facie</i> it is case of contempt and remedy is to the Applicant to file appropriate proceeding for contempt.</p> <p>4. At this juncture, learned Advocate for the Applicant sought permission to withdraw O.A. with liberty to file Contempt.</p> <p>5. In view of above, O.A. is disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p align="center"><b>O.A. No.892 of 2017</b></p> <p><b>D.G. Basutkar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>Applicant and his Advocate both are absent.</li> <li>Smt. Punam Mahajan, learned Advocate for the Applicant has sent his leave note.</li> <li>Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</li> <li>The perusal of record reveals that the Applicant was appointed as lecturer in 2001 through MPSC. Thereafter in 2006 he was promoted to the post of Assistant Professor on Ad-hoc basis for 364 days. After giving technical break of one day he was again continued on the post of Assistant Professor for 364 days and during the said period he stands retired on 31.08.2009. After retirement he was granted pension considering his pensionable pay for the post of Assistant Professor. However, later by impugned order dated 07.06.2017 his pensionable pay as well as pension has been revised and recovery is sought which is under challenged in present O.A.</li> <li>In this matter the Applicant is pressing reliance on the decision rendered in the matter of Shri Jeevan K. Bhosale in which Tribunal granted retiral benefits for the post of Police Sub Inspector which the Applicant was occupying by way of temporary promotion. The said Judgment has been challenged by the Government by filing Writ Petition before Hon'ble High Court. Therefore, when this O.A. was taken up for hearing</li> </ol>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><del>which</del><sup>M.H.L.2</sup> was adjourned awaiting the decision of Hon'ble High Court. Learned P.O. submits that those Writ Petitions are still pending and there is no stay to the Judgment passed by the Tribunal in the matter of Shri Jeevan K. Bhosale.</p> <p>6. Present Applicant stands retired in 2009 and claiming retiral benefits for the post of Assistant Professor which was paid from time to time and later withdrawn. Therefore this O.A. now deserves to be disposed of on its own merit in accordance to law without further delay.</p> <p>7. O.A. be kept for hearing in next week.</p> <p>8. S.O. to 23.09.2022.</p> <p style="text-align: right;">Sd/- vv- (A.P. Kurhekar) Member (J)</p> <p>NMN</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 data-bbox="987 892 1206 918" style="text-align: center;"><u>O.A.454/2022</u></p> <p data-bbox="794 963 1461 1000"><b>Shri H.A. Ansari                                 ... Applicant</b></p> <p data-bbox="889 1005 938 1034" style="text-align: center;"><b>vs.</b></p> <p data-bbox="794 1039 1510 1076"><b>The State of Mah. &amp; Ors.                         ... Respondents</b></p> <p data-bbox="794 1123 1565 1273">1. Shri Dinesh Rashinkar holding for Shri H.S. Ansari, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents is present.</p> <p data-bbox="794 1321 1565 1629">2. Learned P.O. submits that Government has already taken decision about the absence period and it will be communicated to the Respondents/Dairy Department for passing further consequential order about the entitlement of the Applicant to the pension and other benefits. One week time is granted to place on record appropriate orders, so that O.A. could be disposed of.</p> <p data-bbox="794 1676 1315 1713">3. S.O. to 23<sup>rd</sup> September, 2022.</p> <p data-bbox="1323 1731 1380 1768" style="text-align: right;">Sd/-</p> <p data-bbox="1230 1797 1461 1905" style="text-align: right;"><b>(A.P. Kurhekar)</b> <b>Member-J</b> <b>16.09.2022</b></p> <p data-bbox="794 1916 860 1952">(skw)</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>Date: 16.09.2022</p> <p align="center">O.A. No.1037 of 2019 with O.A. No.1039 of 2019 to O.A. No.1042 of 2019</p> <p>Dr. G.B. Taware Dr. V.A. Nadimath Dr. P.M. Sharebkausar Dr. N.B. Masaram Dr. V.P. Doijad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Ganesh Masurkar, learned Advocate holding for Smt. Punam Mahajan, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Shri K.B. Bhise, learned Advocate for the Applicants in O.A. No.1237/2019 to O.A. No.1241/2019 has sent his leave note.</p> <p>3. Interim relief to continue till next date.</p> <p>4. O.A. No.1237/2019 to O.A. No.1241/2019 be kept along with these O.As.</p> <p>4. S.O. to 30.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>



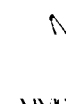
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p>O.A. No.350 of 2020</p> <p>Dr. Shaikh M.A.S. .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Ganesh Masurkar, learned Advocate holding for Smt Punam Mahajan, 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 short Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. In view of leave note adjourned to 14.10.2022.</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 \_\_\_\_\_

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p align="center">O.A. No.97 of 2022</p> <p>A.D. Nagare .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Suraj Malas, learned Advocate holding for Shri A.A. Desai, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant adjourned for Final Hearing.</p> <p>3. S.O. to 07.10.2022.</p> <p align="right"> <sup>^</sup>            Sd/-            W<sup>v</sup>            (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 \_\_\_\_\_

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p align="center">O.A. No.710 of 2021</p> <p>V.A. Waghmode .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt. Punam Mahajan, learned Advocate for the Applicant has sent her leave note.</li> <li>3. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>4. Perusal of record reveals that Tribunal granted interim relief by order dated 21.09.2021, therefore matter needs to be expedited.</li> <li>5. S.O. to 19.09.2022.</li> <li>6. Interim relief to continue</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p>O.A. No.1041 of 2021</p> <p>S.D. Konde .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"><li>1. Applicant and his Advocate both are absent.</li><li>2. Smt. Punam Mahajan, learned Advocate for the Applicant has sent her leave note.</li><li>3. Smt. Archana B.K., learned Presenting Officer for the Respondents is present.</li><li>4. In view of leave note adjourned to 30.09.2022.</li></ol> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p align="center"><b>O.A. No.927 of 2021</b></p> <p>S.J. Khairnar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 21.09.2021 whereby he was informed that the Gratuity and regular Pension will be regularized only after decision in criminal case pending before CJM, Dhule. Thus, it appears that the Gratuity and regular Pension is withheld in terms of Rule 130(1)(c) of M.C.S. (Pension) Rules, 1982. <del>This</del> O.A. appears premature.</p> <p>3. Learned Advocate for the Applicant requested for short time stating that his senior is not available today.</p> <p>4. O.A. be kept on Monday i.e. 19.09.2022.</p> <p>5. S.O. to 19.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 16.09.2022</b></p> <p style="text-align: center;"><b>O.A. No.758 of 2021</b></p> <p><b>A.B. Suryawanshi</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt Archana B.K., learned Presenting Officer for the Respondents is present.</li> <li>3. The perusal of record reveals that the Applicant and his Advocate both are not attending the matter regularly and were absent for 2/3 dates. Last date also they were absent but matter was adjourned to give one opportunity. However, today also they are absent. Thus, it appears that they are not interested in the matter. Hence O.A. is dismissed in default.</li> </ol> <p style="text-align: center;">Sd/-  (A.P. Kurhekar)  Member (J)</p> <p>NMN</p> <p><b>LATER ON</b></p> <ol style="list-style-type: none"> <li>4. Ms N.G. Desphande, learned Advocate holding for Shri U.P. Warunjkar, learned Advocate for the Applicant appeared and requested to restore the matter. She states that the Applicant wants to file M.A. for amendment which is ready and therefore requested to restore the matter.</li> <li>5. In the interest of justice, O.A. is restored and the order of dismissed in default is recalled.</li> <li>6. Applicant shall file M.A. for amendment in the office and it should be placed with this O.A. on next date.</li> <li>7. S.O. to 03.10.2022.</li> </ol> <p style="text-align: center;">Sd/-  (A.P. Kurhekar)  Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p align="center">O.A. No.504 of 2022</p> <p>S.P. Jadhav .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Mohan Kumar, learned Advocate holding for Shri S.K. Hande, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder on behalf of the Applicant. It is taken on record.</p> <p>3. On request of learned Advocate for the Applicant adjourned for hearing at the stage of admission.</p> <p>3. S.O. to 06.10.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 16.09.2022</b></p> <p align="center"><b>O.A. No.476 of 2022</b></p> <p><b>Dr. A.M. Kadhikhaye</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents. Shri D. Lokhande, learned Advocate for the Respondent No.3 is absent.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed during the course of the day. Liberty is granted to file Affidavit-in-Reply during the course of the day. It is taken on record.</p> <p>3. S.O. to 22.09.2022.</p> <p align="right">Sd/- Ww ✓ <b>(A.P. Kurhekar)</b> Member (J)</p>



<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p data-bbox="781 749 1003 780">Date: 16.09.2022</p> <p data-bbox="1013 826 1279 857">O.A. No.524 of 2022</p> <p data-bbox="781 904 1511 1017">R.R. Nawghare, .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p data-bbox="781 1102 1511 1215">1. Heard Shri T.V. Dhotre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p data-bbox="781 1277 1511 1349">2. At the request of learned Advocate for the Applicant matter is adjourned to 03.10.2022</p> <p data-bbox="1166 1437 1370 1599">Sd/- (A.P. Kurhekar) Member (J)</p> <p data-bbox="781 1638 824 1658">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p>O.A. No.384 of 2021 with O.A. No.435 of 2021 with O.A. No.442 of 2021 with O.A. No.443 of 2021 with O.A. No.444 of 2021 with O.A. No.387 of 2021 with O.A. No.932 of 2021 with O.A. No.436 of 2021 with O.A. No.383 of 2021 with O.A. No.385 of 2021 with O.A. No.393 of 2021 with O.A. No.434 of 2021 with O.A. No.440 of 2021 with O.A. No.441 of 2021 with O.A. No.445 of 2021 with O.A. No.446 of 2021 with O.A. No.391 of 2021 with O.A. No.386 of 2021 with O.A. No.388 of 2021 with O.A. No.389 of 2021 with O.A. No.390 of 2021</p> <p>S.S. More S.S. Raorane Mrs.S.V. Kelkar &amp; Ors Smt.S.S. Nilwan &amp; Ors Smt. S.M. Khedkar &amp; Ors. R.H. Borkar S.R. Arte A.R. Borkar G.J. Mhatre G.V. Sawant R.D. Sawant &amp; Ors. M.L. Langi N.N. Kadam &amp; Ors. V.B. Chafekar &amp; Ors. S.N. Rane &amp; Ors. S.S. Salunkhe &amp; Ors. S.S. Dixit &amp; Ors. S.S. Manjrekar A.B. Kohtekar &amp; Ors. A.C. Mantri D.M. Vishwasrao .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant, Smt. K.S. Gaikwad, Smt. Archana B.K. and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply in O.A. Nos.385/2021, 387/2021, 440/2021, 442/2021, 435/2021 on behalf of the Respondent Nos.1 &amp; 2. It is taken on record. She requested for time to file Reply in remaining matters.</p> <p>3. Two weeks time is granted to file Affidavit-in-Reply in remaining matters by way of last chance.</p> <p>4. S.O. to 07.10.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p>O.A. No.553 of 2022</p> <p>Dr. R.R. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"><li>1. Applicant and his Advocate both are absent.</li><li>2. Shri A.J. Chougule, learned Presenting Officer for the Respondent is present.</li><li>3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply</li><li>4. S.O. to 30.09.2022.</li></ol> <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 \_\_\_\_\_

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 16.09.2022</p> <p align="center">O.A. No.390 of 2022</p> <p>M.K. Waghela &amp; Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri Mohan Kumbhar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Enough time is granted to file Affidavit-in-Reply but the same is not filed. On previous date last chance was granted. Matter pertains to compassionate appointment. Hence, I am not inclined to grant further time.</li> <li>3. O.A. be kept for hearing at the stage of admission with liberty to file Affidavit-in-Reply in the office. Reply be filed one week before next date of hearing and copy of the same be served on other side.</li> <li>4. S.O. to 12.10.2022.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p align="center">Date: 16.09.2022</p> <p align="center">O.A. No.417 of 2022</p> <p>R.P. Gage .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Janvi Chotai, learned Advocate holding Shri V. Sangvikar, 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 works time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 30.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p 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: 16.09.2022</p> <p>O.A. No.918 of 2022</p> <p>V.D. Wakode .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri D.W. Bhosale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged communication dated 21.06.2022 issued by Government thereby rejecting the claim of the Applicant for change of Date of Birth in service record. Applicant is still in service.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 14.10.2022.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>9. S.O. to 14.10.2022.</li> </ol> <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: 16.09.2022</p> <p align="center">M.A. No.474 of 2022 in O.A. No.632 of 2022</p> <p>G.M. Shakti .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant is present in person.</li> <li>2. Smt. Archana B.K., learned Presenting Officer for the Respondents is also present.</li> <li>3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply to M.A. by way of last chance.</li> <li>4. S.O. to 29.09.2022.</li> </ol> <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 data-bbox="781 705 1003 736">Date: 16.09.2022</p> <p data-bbox="854 783 1433 814">M.A. No.363 of 2022 in O.A. No.555 of 2020</p> <p data-bbox="781 860 1507 973">D.D. Gaikwad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol data-bbox="781 1056 1507 1530" style="list-style-type: none"><li>1. Heard Shri R.B. Ade, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li><li>2. Today learned P.O. has filed Affidavit-in-Reply in M.A on behalf of Respondent Nos.1 &amp; 2. It is taken on record.</li><li>3. Adjourned for hearing of M.A.</li><li>4. S.O. to 28.09.2022.</li></ol> <p data-bbox="1224 1607 1284 1638" style="text-align: right;">Sd/-</p> <p data-bbox="1166 1700 1365 1777" style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p data-bbox="776 1813 824 1839">NMN</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.09.2022</p> <p>M.A. No.190 of 2022 in O.A. No.880 of 2021 with M.A. No.191 of 2022 in O.A. No.881 of 2021 with M.A. No.197 of 2022 in O.A. No.882 of 2021 with O.A. No.883 of 2021 with M.A. No.192 of 2022 in O.A. No.884 of 2021 with M.A. No.195 of 2022 in O.A. No.885 of 2021 with M.A. No.194 of 2022 in O.A. No.886 of 2021 with O.A. No.887 of 2021 with M.A. No.196 of 2022 in O.A. No.888 of 2021 with O.A. No.889 of 2021 with M.A. No.193 of 2022 in O.A. No.917 of 2021</p> <p>D.B. Mane H.R. Shegar H.G. Kulkarni P.H. Damodar V.P. Jagtap G.R. Brahmapukar S.K. Darekar R.K. Ghadge B.T. Bhamre B.B. Ingale K.N. Ghadge .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Smt. Punam Mahajan, learned Advocate for the Applicant has sent her leave note.</li> <li>3. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>4. Today learned P.O. has filed Affidavit-in-Reply in M.A. No.190/2022, M.A. No.197/2022, M.A. No.192/2022, M.A. No.195/2022, M.A. No.194/2022, M.A. No.196/2022 &amp; M.A. No.193/2022 on behalf of the Respondent. It is taken on record.</li> <li>5. No Reply is filed in M.A. No.191/2022.</li> <li>6. All these M.As be kept for hearing.</li> <li>7. S.O. to 30.09.2022.</li> </ol> <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: 16.09.2022</p> <p align="center"><b>R.A. No.10 of 2022 in O.A. No.102 of 2020</b></p> <p><b>S.H. Shaikh</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri S.H. Shaikh, Applicant-in-Person and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This review seems to have been filed to review the order passed by the Tribunal on 30.03.2022 in O.A. No.102/2020 whereby O.A. was dismissed.</p> <p>3. The perusal of record reveals that there is no endorsement on the R.A. by the office about its scrutiny, limitation etc. Even, there is no endorsement as to on which date R.A. is filed in the office. The affirmation of R.A. is done before notary <del>as</del> on 27.04.2022. Thus, obviously the O.A. is not filed within limitation of 30 days.</p> <p>4. In view of above, I/C. Registrar is directed to examine the matter and to explain why the scrutiny is not made and how the R.A. is listed before Bench without their being scrutiny and objection on the point of limitation. I/C. Registrar is further directed to place the matter with her report.</p> <p>5. In the mean time, the Applicant is at liberty to file M.A. for condonation of delay.</p> <p>6. S.O. to 30.09.2022.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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: 16.09.2022</p> <p align="center">M.A. No.550 of 2022 in O.A. No.923 of 2022</p> <p>S.Y. Baviskar &amp; Anrs., .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/-  (A.P. Kurhekar) Member (J)</p> <p 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: 16.09.2022</p> <p>O.A. No.923 of 2022</p> <p>S.Y. Baviskar &amp; Anrs., .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged communication dated 23.03.2022 whereby claim for substitution of legal heir in waiting list has been rejected.</li> <li>3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>4. Issue notice before admission returnable on 14.10.2022.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>8. In case notice is not collected within <b>seven</b> days or service report on affidavit is not filed <b>three</b> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<b>for Dismissal</b>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</li> <li>9. S.O. to 14.10.2022.</li> </ol> <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**

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><b>Date : 16.09.2022</b></p> <p align="center"><b>O.A.No.904 of 2022</b></p> <p>S.S. Rathod &amp; Ors. ....ApplicantS Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr S.B. Talekar, learned Senior Counsel for the Applicants, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. Vishal S. Kadam, learned Advocate for intervention.</p> <p>2. Learned Advocate Mr. Kadam submits that he has received instruction to appear for the intervener. He submits that he will file his intervention application and he will serve the copy to the learned Advocate for the Applicant.</p> <p>3. Learned Senior Counsel Mr. Talekar prays that examination conducted pursuant to the advertisement dated 21.05.2021 for approx..2700 posts in Group-C in Public Health Department for 52 cadres is cancelled on account of allegations of paper leak and many other irregularities. He submits that the decision of cancellation of entire examination for all posts is erroneous and illegal because the Respondent-Department has not conducted the exercise of segregating which is tainted and untainted. Learned Sr. Counsel submits that it was necessary for the Department to verify this position of segregating the examination which were conducted and the decision is taken without applying the mind. Learned Senior Counsel Mr. Talekar further submits that the signature of Former Hon'ble the Chief Minister taken on 29.06.2022 was not in fact given by the same, [P.T.O.]</p>

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

**Tribunal's orders**

however it was obtained under the forged signature. He prays that the Respondent-Department is going to issue further advertisement pursuant to communication dated 29.06.2022 and therefore he prays that the advertisement for these posts be stayed.

4. Learned C.P.O. submits that this is serious matter. Under Secretary, Ms. Archana Walzade from the office of Public Health Department is present and she informed that 8.5 lakhs persons applied for the examination and 4.5 lakhs persons appeared for the said examination at more than 2000 centers and therefore ex-facie it was not possible to segregate from ~~tainted~~ <sup>tainted</sup> and ~~untainted~~ <sup>untainted</sup>.

5. Learned C.P.O. on the basis of the instructions given by the officer Ms. Walzade prays for time to file short affidavit-in-reply justifying opposing interim relief at this stage. She needs time to study to how the examination is to be conducted and the same is under consideration and no policy decision is taken till today. However, this being emergency service and the appointments are pending since last two years, there is dire need of filling up the posts and so the advertisement is required to be issued.

6. Adjourned to 23.09.2022 for filing short affidavit for interim relief.

Sd/-

(Medha Gadgil)  
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**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 Date : 16.09.2022
	<p align="center"><b>M.A.No.540 of 2022 in O.A.No.904 of 2022</b></p> <p>S.S. Rathod &amp; Ors. ....ApplicantS Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard M/S. Talekar &amp; Asso., learned Senior Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) 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
	<p align="center"><b><u>16.09.2022</u></b></p> <p align="center"><b><u>O.A 237/2022</u></b></p> <p>L.G Dalvi ... Applicant Vs. 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 P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that the applicant has submitted representations dated 1.8.2017 and 7.11.2019, claiming promotion to the post of Police Inspector at par with his batchmates along with deemed date of promotion.</p> <p>3. The Respondents are directed to decide the representations dated 1.8.2017 and 7.11.2019 within two weeks from the date of this order and communicate the decision to the applicant.</p> <p>4. In view of the above, Original Application stands disposed of.</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

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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.700 of 2022</u></p> <p>Rajendra R. Patil ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant who is working as Range Forest Officer, Society Forestry, Khed, Ratnagiri was suspended on 8.5.2017 in view of registration of criminal case filed on 25.4.2017 vide CR No.31/2017. On 24.4.2018 the charge memo was served on the applicant and applicant participated in the DE. He was reinstated on 15.9.2018. The enquiry officer submitted his report on 20.10.2021 where the applicant has been exonerated. The disciplinary authority passed order on 6.12.2021 where the applicant has been issued strict warning.</p> <p>3. Ld. Advocate for the applicant seeks consideration of his case for ad hoc promotion from the rank of Range Forest Officer to Assistant Conservator of Forest in the light of GR dated 15.12.2017.</p> <p>4. Ld. CPO submits to the order of the Court.</p> <p>5. We direct the respondents to consider the case of the applicant for ad hoc promotion from Range Forest Officer to Assistant Conservator of Forest in the ensuing DPC in the light of clause 9 of GR dated 15.12.2017 within three months. The decision be communicated to the applicant within two weeks thereafter. OA disposed off.</p> <p align="center">Sd/- <span style="float: right;">Sd/-</span></p> <p align="center">(Medha Gadgil) <span style="float: right;">(Mridula Bhatkar, J.)</span> Member (A) <span style="float: right;">Chairperson</span> 16.9.2022 <span style="float: right;">16.9.2022</span></p> <p>(sgj)</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><b><u>16.09.2022</u></b></p> <p><b><u>M.A 547/2022 in O.A 922/2022</u></b></p> <p>Shri Kunal A. Jadhav ... Applicant Vs The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Ganesh Masurkar holding for Shri C.T Chandratre, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Misc Application to sue jointly is allowed, subject to payment of court fees, if not already paid.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- 10/09/22 (Mridula Bhatkar, J.) Chairperson</p>