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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 16.10.2023

O.A.No.1237 of 2023 With O.A.No.1184 of 2023 (DB)

M. T. Ligade

D. S. Mengane

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri M. D. Lonkar and Shri M. Y. Dongarge, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents and Smt. Savita Pawar holding for Shri Sanjeev Deore, learned Advocate for Interveners.
- 2. Learned Advocates for the Applicants states that the M.P.S.C. is likely to recommend the names of 20 Selected Candidates who are Primary Teachers of Zilla Parishad on the basis of Limited Departmental Competitive Examination for the post of Deputy Education Officer but have not been declared as 'Ineligible' as per the judgment of the Hon'ble High Court in W.P. No.8243 of 2019 dated 15.09.2023.
- Learned Advocate for 'Interveners' proposes to file
 M. A. to join 5 Selected Candidates who are from amongst these 20 Selected Candidates
- 4. Learned P.O. requested for time to file 'Affidavit in Reply' on behalf of Respondents.
- 5. The Hon'ble High Court in W.P.No.8243 of 2019, by order dated 15.09.2023 has declared that Primary Teacher of Zilla Parishads are not eligible to appear for the Limited Departmental Competitive Examination for the post of Deputy Education Officer and accordingly 54 Selected Candidates declared as "Ineligible'. Therefore, against this background M.P.S.C. is directed not to recommend the -

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names of these 20 'Selected Candidates' who are Primary Teachers of Zilla Parishad for appointment to the post of 'Deputy Education Officer.'

- 6. 'Interim Relief' is granted only up to 'Next Date'.
- 7. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
- 8. Issue notice before admission returnable on 06.11.2023.
- 9. 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.
- 10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 11. 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.
- 12. 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/ <u>Miscellaneous</u> 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 / <u>Miscellaneous</u> Application shall stand dismissed.
- 13. S.O. to 06.11.2023.

Sd/-

M.A./R.A./C.A. 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
	Date: 16.10.2023
	O.A. No.868 of 2023

N.N. Chavan,Applicant
Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.P. Kharkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant states that views sought on the implementation of provisions of 'The Rights of Persons with Disabilities Act, 2016' as per directions in orders passed on 29.09.2023 have not been conveyed by the Respondents viz. (i) Additional Chief Secretary (Services), GAD and (ii) Additional Chief Secretary (Revenue), Revenue and Forest Department.
- Learned P.O. states that 'Revenue and Forest Department' had earlier based on the representation of the Applicant dated 23.03.2023 proposed to G.A.D that the request of the Applicant be considered, as he is 'Care-Giver' to 100% 'Blind Child' and in that proposal even referred to the guidelines issued by Government of India Department of Personnel & Training Memorandum F.No.42011/3/2014-Estt (Res) dated 08.10.2018. However, as they were advised by G.A.D. to follow the provisions of Divisional Cadre Structure and Divisional Cadre Allotment for direct appointment by nomination to the post of Group 'A' and Group 'B' (Gazetted and Non-Gazetted) of the Government of Maharashtra Rules, 2010 'the 'Revenue and Forest Department' issued Transfer Orders of 05.06.2023 of the Applicant to post him to Nagpur Division as 'Deputy Collector (Land Acquisition), Gosekhurd Project, Nagpur.*

Tribunal's orders

- The provisions of 'The Rights of Persons with 4. Disabilities Act, 2016' with respect to the specified *Service Conditions* of the Government Servants have to be implemented by the 'Appropriate Government'. In the case of Central Government, it is the Department of Personnel and Training while for the State Government, is the General Administration Department. However, in the above context, it appears that though expected 'Revenue and Forest Department' had not forwarded the copy of the Order passed on 29.09.2023 to General Administration Department. On query, learned PO as well as learned Advocate for the Applicant stated that the Order passed on 29.09.2023 had been forthwith communicated to viz. (i) Additional Chief Secretary (Services), GAD and (ii) Additional Chief Secretary (Revenue), Revenue and Forest Department. The 'Revenue and Forest Department' therefore to seek revised opinion from the General Administration Department with respect to the request made by the Applicant on 23.03.2023 after taking into consideration the directions in Order passed on 29.09.2023. The 'Revenue and Forest Department' to forthwith inform learned PO about the revised opinion *General Administration Department with respect of the request made by the Applicant on 23.03.2023. Further with respect to implementation of the various provisions relating to Government Servants under 'The Rights of Persons with Disabilities Act, 2016', the concerned 'Joint Secretary / Deputy Secretary' of G.A.D. shall remain present on 'Next Date' to inform specifically about the status of implementation of *Section 20(5) of 'The Rights of Persons with Disabilities Act, 2016'.
 - 5. 'Interim Relief' to continue till 'Next Date'.
 - 6. S.O. to 25.10.2023.

Sd/-

(Debashish Chakrabarty) Member (A)

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

Date: 16.10.2023

O.A.No.1221 of 2023 (DB)

P. J. Patil

....Applicant

Versus

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

- 1. Heard Smt. Savita Sawant holding for Shri A. D. Chate, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. Learned C.P.O. has filed 'Affidavit-in-Reply' on behalf of Respondent No.2. It is taken on record.
- 3. Learned Advocate for the Applicant seeks One Week time to file Affidavit-in-Rejoinder, if any.
- 4. Original Application be admitted and kept for Final Hearing.
- 5. S.O. to 26.10.2023.

Sd/-

(Debashish Charrabarty) Member(A)

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

of 20

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

Date: 16.10.2023

O.A.No.1226 of 2023 (DB)

Dr. A. S Chandanwale

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant, Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri M. D Lonkar, learned Advocate for the Respondent No.2.
- the Order of the Medical Education and Research, dated 13.07.2023 giving Additional Charge of the post of 'Director' of Medical Education and Research Directorate, Mumbai to the Applicant does not mention about Respondent No.2 proceeding on Medical Leave as the reason for the change in Additional Charge. Also, the subsequent Order of Medical Education and Drugs Department, dated 21.09.2023 does not mention that Additional Charge is being changed again as the Respondent No.2 has returned from Medical Leave. She states that both the orders have been issued on 'Administrative Grounds'.

Tribunal's orders

- 3. Learned Advocate for the Applicant submits that by G.A.D. G.R. dated 05.09.2018, guidelines have been laid down which requires that wherever possible it be given to Government Servant from the same cadre based on Seniority Criteria with consideration to be given to Experience and Performance of such Government Servant. However, when such Government Servant is not available in the same cadre then Government Servant from the immediate subordinate cadre based on Seniority Criteria being given Additional Charge. However, if Additional Charge is not given based on Seniority Criteria, then reasons have to be recorded by the Competent Authority.
- 4. Learned Advocate for the Respondent No.2, therefore, states that it is important to know the reasons why the Additional Charge of the post of 'Director' of Medical Education and Research Directorate, Mumbai'was given to Respondent No.2. The Respondent No.2 was given initially about Two Years back and he has held that Additional Charge continuously till he had proceeded on Medical Leave resulting in the Additional Charge being given to Applicant by order dated 13.07.2023 which was rescinded by Order dated 29.07.2023 giving it back to the Respondent No.2. The learned Advocate of the Respondent No.2 stated that O.A No.1226 of 2023 is not maintainable on the grounds of 'Acquiescence', 'Delay' and 'Laches' and also produced relevant judgments of the Hon'ble Supreme Court and Hon'ble High Courts.
- 5. Learned P.O. for the Respondent seeks time to file 'Affidavit in Reply.' Learned Advocate for Respondent No.2 also wants to file 'Affidavit in Reply' for which he is granted Two Weeks.
- 6. Learned P.O. is granted Two Weeks' time to file 'Affidavit in Reply. Learned P.O. is also directed to annex the copy of 'File Noting' with the 'Affidavit-in-Reply.'
- 7. S.O. to 30.10.2023.

Sd/-

(Debashish Chakrabarty) Member(A)

M.A./R.A./C.A. 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

Date: 16.10.2023

O.A.No.1320 of 2023 (DB)

M. N. Guruba

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant states that the Applicant was exonerated from the 'Departmental Enquiry' by order dated 31.07.2023 and seeks direction to open 'Sealed Cover' and consider the name of Applicant for promotion from the post of 'Talathi' to the post of 'Circle Officer'.
- 3. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
- 4. Issue notice before admission returnable on 26.10.2023.
- 5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

Pribunal's orders

- 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
- 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original/ <u>Miscellaneous</u> 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 / <u>Miscellaneous</u> Application shall stand dismissed.
- 9. S.O. to 26.10.2023

Sd/-

(Debashish Chakrabarty) Member(A)

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

Date: 16.10.2023

O.A.No.850 of 2023 with O.A.No.851 of 2023 with O.A.No.876 of 2023 (DB)

J. J. Gaikwad & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

- Heard Smt. Pooja Mankoji holding for Shri S. S. Dere, learned Counsel for the Applicants and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. On request of learned C.P.O., two weeks' time is granted to file reply.
- S.O. to 27.10.2023.

(Debashish Charrabarty) Member(A)

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

Date: 16.10.2023

O.A.No.354 of 2023 with O.A.355 of 2023 with O.A.356 of 2023 with O.A.357 of 2023 (DB)

A. B. Bahirwal & Ors.

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Smt. Punam Mahajan , learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. On request of learned P.O., three weeks' time is granted to file Reply.
- 3. Interim Relief to continue till Next date.
- 4. S.O. to 06.11.2023.

Sd/-

(Debashish Chakrabarty) Member(A)

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

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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

Date: 16.10.2023

O.A.No.395 of 2023 (DB)

Dr. Y. Shah & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Smt Kranti L. C., learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. On request of learned Advocate for the Applicant, two weeks time is granted to file Affidavit-in-Rejoinder.
- 3. Interim Relief to continue till next date.
- 4. S.O. to 25.10.2023.

Sd/-

(Debashish Chakrabarty) Member(A)

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

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FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 16.10.2023

O.A.No.808 of 2023 (DB)

B. S. Zute

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Smt. Pooja Mankoji holding for Shri S. S. Dere, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. On request of learned Advocate for the Applicant, two weeks time is granted to file Affidavit in Rejoinder.
- 3. S.O. to 30.10.2023. Interim relief to continue till next date.

Sd/(Debashish Chakrabarty)

Member(A)

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

Date: 16.10.2023

O.A.No.813 of 2023 (DB)

B. D. Kamble

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar., learned Chief Presenting Officer for the Respondents.
- 2. Today, learned C. P. O. has filed Affidavit in Reply on behalf of Respondent. It is taken on record.
- 3. On request of learned Advocate for the Applicant, two weeks time is granted to file Affidavit in Rejoinder.
- 4. S.O. to 26.10.2023.

Sd/-

(Debashish Chakrabarty) Member(A)

M.A./R.A./C.A. 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

Date: 16.10.2023

O.A.No.1242 of 2023 (DB)

A. Desai & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri U. V Bhosale, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. On request of learned C.P.O., one week time is granted to file Affidavit in Reply.
- 3. The matter is fixed on 25.10.2023 under the caption of 'Urgent Admission'.

Sd/-

(Debashish Chaktabarty) Member(A)

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

Date: 16.10.2023

O.A.No.918 of 2023 (DB)

N. K. More

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. On request of learned Advocate for the Applicant, one week time is granted.
- 3. S.O. to 26.10.2023.

Sd/-

(Debashish Chakrabarty) Member(A)

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

of 20

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

Date: 16.10.2023

O.A.No.1191 of 2023 (DB)

U. B. Sankpal

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- On request of learned C.P.O., one week time is 2. granted.
- The matter is adjourned to 27.10.2023, it be kept as 3. H.O.B.
- S.O. to 27.10.2023.

Sd/-(Debashish Chakkabarty)

Member(A)

Tribunal's orders

Date: 16.10.2023

O.A.No.1307 of 2023 (DB)

R. S. Dhumal &Ors.

....Applicants

Versus

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

- 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 08.11.2023.
- 4. 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.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. 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.
- 7. 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/ <u>Miscellaneous</u> 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 / <u>Miscellaneous</u> Application shall stand dismissed.
- 8. S.O. to 08.11.2023.

Sd/-

(Debashish Chakrabarty) Member(A)

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

Date: 16.10.2023

M. A. No.646 of 2023 in O.A.No.1307 of 2023

DB

R. S. Dhumal & Ors.

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. This is an application for leave to sue jointly.
- 3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the case is not required to be decided separately.
- 4. In this view of the matter, the present Misc. Application is allowed, subject to Applicants paying requisite Court Fees, if not already paid.
- 5. M. A. No.646 /2023 is allowed. No order as to costs.

Sd/-

(Debashish Charrabarty) Member(A)

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

Date: 16.10.2023

O.A.No.219 of 2023

DB

S. K. Kute

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

- 1. Heard Shri A. A. Devkhile, learned Counsel for the Applicant and \$mt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. On request of learned C.P.O., one week time is granted.
- 3. S.O. to 30.10.2023.

Sd/-

(Debashish Chakrabarty)

Member(A)

Tribunal's orders

Date: 16.10.2023

M. A. No.643 of 2023 in O.A.No.1300 of 2023 (DB)

V. C. Pasalkar

....Applicant

Versus

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

- 1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
- 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 08.11.2023.
- 4. 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 M.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.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. 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.
- 7. 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 <u>Original/</u> 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 <u>Original-/</u> Miscellaneous Application shall stand dismissed.
- 8. S.O. to 08.11.2023.

Sd/-

(Debashish Chakhabarty) Member(A)

Date: 16.10.2029 ibunal's orders

O.A.No.1309 of 2023

(DB)

S. S. Raskar

....Applicant

Versus

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

- 1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.
- 2. The office objection, if any, are to be removed and court fees to be paid, if not already paid.
- 3. Issue notice before admission returnable on 30.10.2023.
- 4. 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.
- 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
- 6. 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.
- 7. 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/ <u>Miscellaneous</u> 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 / <u>Miscellaneous</u> Application shall stand dismissed.
- 8. S.O. to 30.10.2023.

Sd/(Debashish Chakkabarty)

Member(A)

M.A./R.A./C.A. 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

Date: 16.10.2023

O.A. No.1317 of 2023

R.R. Kamble

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant states that the Applicant who was working on the post of Peon in Government Photo Zincko Printing Press, Pune has been transferred to Government Printing Press, Nagpur which is part of an Order dated 07.08.2023 passed by Appellate Authority under the relevant provisions of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. The Director of Government Printing and Stationary, Mumbai is the Appellate Authority.
- 3. Learned Advocate for the Applicant further states that prayer in this O.A.No.1317 of 2023 is limited to the issue of transfer of the Applicant working on the post of Peon in Government Photo Zincko Printing Press, Pune to Government Printing Press, Nagpur and does not challenge the Order of the Appellate Authority dated 07.08.2023.
- 4. Learned P.O. submits that this is an Order passed by the 'Appellate Authority' is under the Maharashtra Civil Services (Discipline & Appeal) Rules, 1979 and therefore this OA No.1317 of 2023 cannot be placed before this Single Bench.

Tribunal's orders

- 5. The Transfer of the Applicant has been included under the Order of 'Appellate Authority' dated 07.08.2023. The Transfer Order is not issued under the 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 which can be placed before this 'Single Bench.' However, it is included in Order passed by Appellate Authority on 07.08.2023 under the provisions of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. The Applicant is therefore required to challenge the Order of the Appellate Authority passed on 07.08.2023.
- 6. Learned Advocate for the Applicant thereon states that he is accordingly willing to amend this O.A. No.1317 of 2023. The amendment to this O.A.No.1317 of 2023 be carried out in One Week and thereafter it may be placed before appropriate Division Bench.

Sd/(Debashish Chakrabarty)
Member (A)

Tribunal's orders

Date: 16.10.2023

O.A. No.1081 of 2023

R.D. Ghunkikar

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant states that although specific directions were issued on 01.09.2023 and 12.09.2023, no information is forthcoming by way of Affidavit-in-Reply from 'Principal Chief Conservator of Forest (Head of Forest Force)'.
- 3. Learned P.O. today submits Affidavit-in-Reply filed by Respondent Nos.1 to 3. Affidavit-in-Reply of Respondent Nos.1 to 3 does not disclose any information about the action taken by the 'Principal Chief Conservator of Forest (Head of Forest Force)' to seeks advise from the 'Principal Secretary, Revenue and Forest Department' as per specific directions issued on 01.09.2023 and 12.09.2023. Thereupon; Learned P.O. submitted that recently 'Principal Secretary, Revenue and Forest Department' has sought advice from G.A.D.
- 4. Learned Advocate for the Applicant thus seeks permission to amend O.A. to implead (i) 'Principal Secretary, Revenue and Forest (Forests) Department' as Respondent No.4 and (ii) 'Additional Chief Secretary (Services), G.A.D' as Respondent No.5. Permission granted to amend O.A. He agrees to serve with the copy of amended O.A. to both Respondents No.4 and Respondent No.5 by 18.10.2023.
- 5. Learned P.O. submits that thereafter separate Affidavit-in-Reply will be filed on behalf of new fadded Respondent No.4 and Respondent No.5 with respect to the specific directions issued on 01.09.2023 and 12.09.2023.
- 6. 'Interim Relief' to continue till Next Date.
- 7. S.O. to 31.10.2023.

Sd/-

(Debashish Chakhabarty) Member (A)

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

of 20

ΙN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

Date: 16.10.2023

O.A. No.1244 of 2023

S.S. Thote

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant states that the Applicant was relieved from the establishment of the 'Commissioner of Police, Mumbai from 12.10.2023 and she has also joined on the establishment of the 'Commissioner of Police, Chatrapati Sambhaji Nagar' on 13.10.2023. The copies of order dated 12.10.2023 relieving the Applicant from the establishment of The 'Commissioner of Police, Mumbai' and Applicant's letter dated 13.10.2023 regarding joining in the establishment of the 'Commissioner of Police, Chatrapati Sambhaji Nagar' are taken on record and placed with this O.A.No.1244 of 2023.
- 3. Learned Advocate for the Applicant therefore stated that as nothing survives in this OA No.1244 of 2023, it may be disposed off.
- 4. Hence, this O.A.No.1244 of 2023 is disposed off with 'No Order as to Costs'.

Sd/-

(Debashish Chakrabarty) Member (A)

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

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

Tribunal's orders

Date: 16.10.2023

O.A. No.1060 of 2023

A.M. Chormale

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant has filed 'Affidavit-in-Rejoinder' on behalf of the Applicant. It is taken on record.
- 3. Learned P.O. seeks time to file Affidavit-in-Sur Rejoinder, if any.
- 4. S.O. to 31.10.2023.

Sd/-

(Debashish Challrabarty) Member (A)

 $M.A./R.A./C.A.\ No.$

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Original Application No.

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FARAD CONTINUATION SHEET No.

Office Notes, (Office Memoranda	a of Coram
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directions	and Registrar's	orders

Tribunal's orders

Date: 16.10.2023

O.A. No.1187 of 2023

S.R. Kharat

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
- 2. Learned P.O. states that they have just received 'Para-wise €omments and seeks One Week time to file 'Affidavit-in-Reply.'
- 3. One Week time as prayed is granted to file 'Affidavit-in-Reply on behalf of the Respondents
- 4. S.O. to 26.10.2023.

Sd/-

(Debashish Chakrabarty) Member (A)

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

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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
	Date: 16.10.2023
	O.A. No.1240 of 2023

U.V. Vaidya

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record.
- 3. On request of learned Advocate for the Applicant Two Days time is granted to file Affidavit-in Rejoinder, if any.
- 4. 'Interim Relief' to continue till Next Date.
- 5. S.O. to 18.10.2023.

Sd/-

(Debashish Chak abarty) Member (A)

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

Date: 16.10.2023

O.A. No.706 of 2023

P.D. Gadhave

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

- 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned Advocate for the Applicant has filed 'Additional Affidavit' on behalf of the Respondent. It is taken on record.
- 3. S.O. to 26.10.2023.

Sd/-

(Debashish Chaktabarty)
Member (A)

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
	Date: 16.10.2023
	O.A. No.717 of 2023 with O.A. No.718 of 2023
	U.L. Gadage & Ors. B.A. Pawar & Ors. Versus The State of Maharashtra & Ors. Respondents.
	 Heard Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. On request of learned P.O. Two Weeks time is granted to file 'Affidavit-in-Reply' on behalf of the Respondents.
	3. S.O. to 30.10.2023.
	Sd/-
	(Debashish Chaurty) Member (A)

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, Tribunal's orders Appearance, Tribunal's orders or directions and Registrar's orders Date: 16.10.2023 O.A. No.952 of 2023Applicant G.T. Patil Versus The State of Maharashtra & Ors.Respondents. Heard Shri A.A. Devkhile, learned Advocate for the Applicant and Smt Archana B.K., learned Presenting Officer for the Respondents. On request of learned P.O. Two Weeks time as very last chance is granted to file Affidavit-in-Reply, If 'Affidavit-in-Reply' is not filed by next date, matter will proceed without 'Affidavit-in-Reply' and thereafter matter will be heard for Final Hearing." S.O. to 30.10.2023. 3. Sd/-(Debashish Chakhabarty) Member (A)

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
	Date: 16.10.2023
	O.A. No.975 of 2023
	Dr. F.I. BagawanApplicant Versus
	The State of Maharashtra & OrsRespondents.
	 Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
	2. Learned Advocate for the Applicant has filed 'Affidavit-in-Rejoinder' on 12.10.2023.
	3. Learned P.O. seeks Two Weeks time to file 'Affidavit-in-Sur Rejoinder'on behalf of the Respondents. Time as prayed is granted. Thereafter Admit for Final Hearing.'
	4. S.O. to 30.10.2023.
	Sd/-
	(Debashish Chakrabarty) Member (A)

Original Application No.	of 20 District	DISTRICT			
Original Application 100		Applicant/s			
(Advocate)				
	versus				
The Sta	e 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: 16.10.2023				
	M.A.No.594/2023 in O.A.No.574	/2023			
	S.I. BhosaleA	applicant			
	The State of Maharashtra & OrsRes	sp o ndents.			
		1. Heard Ms. S.P. Manchekar, learned Chief			
	Presenting Officer for the Respondents.				
	2. Mr. R.M. Kolge, learned Counsel for the				
	Applicant is absent.				
	l'				
	as well. Applicant seeks injunction that the Respondents should not fill up the post from ex-				
	serviceman NTB category till final dispos				
	4. Adjourned to 19.10.2023.				
	, Sd/	. • 1			
	Sd/- / v				
	Member (A) Chair	Bhatkar, J.) person			
	prk				

Tribunal's orders

Date: 16.10.2023

M.A.No.591/2023 in O.A.No.731/2023

K.B. Chandel & Ors.Vs.The State of Maharashtra & Ors.....Respondents.

- 1. Heard Ms. Purva Pradhan holding for Mr. D.B. Khaire, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
- 2. Learned Counsel has submitted that order dated 04.07.2023 passed in O.A.No.1136/2023 & Ors. at M.A.T. Bench Aurangabad wherein the applicants are similarly situated. The applicants had approached the Tribunal against M.P.S.C. and the Tribunal directed the M.P.S.C. issue interview letters to the applicants on their email addresses and it was clarified that while the applicants shall be interviewed on merits, the result of the interview shall be subject to outcome of the said O.A.
- 3. Learned P.O. has submitted that the interviews for post of Deputy Education from MES and MTS were conducted lastly on 24.07.2023 and M.A. is filed on 29.08.2023.
- 4. Under such circumstances, it is difficult to conduct the interviews of the present applicants and this prayer cannot be entertained. Last chance granted to learned P.O. is directed to file affidavit-in-reply.
- 5. Adjourned to 06.11.2023.

Sd/-

Sd/-

(Medha Gadgil) Member (A) (Mridula Bhatkar, J.) Chairperson

prk

Original Application No.	of 20	Dis	ткіст Applicant/s
(Advocate)		
	versus		
The St	ate of Maharas	htra and others	
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Cora Appearance, Tribunal's orders or directions and Registrar's orders	m,	Tribunal's o	rders
	Date : 16	5.10.2023	
	C.	A.No.95/2023 in O.A.	No.732/2022
	S.P. Pole V	s.	Applicant
		e of Maharashtra & Ors	sRespondents.
	Panchal,	eard Mr. K.S. Jadhav, learned Counsel for thougule, learned Preser ents.	he Applicant and Mr.
	dated l wherein the Res Applican three me documen	A. is filed for non-angle and a spendents to give a set to the post of Librari on the from today, subjects. Thus the order or before 12.07.2023	the Tribunal directed appointment to the lian within a period of oject to verification of r should have been
	was give order da months. occurred challeng	earned P.O. has informed appointment to the lated 12.10.2023, so the Learned P.O. has substituted the Governing the order of the High Court, however the lates are decided to compare the lates of the lates are decided to compare the	e post of Librarian by there is delay of three bmitted that the delay ment was thinking of e M.A.T. before the ver, the Respondent
		n view of above, C.A. s 6d/- a Gadgil)	stands disposed of. RA MA Sd/- (Mridula Bhatkar, J.)

Member (A)

(Mridula Bhatkar, J.) Chairperson

Original Application No.	of 20		DISTRICT Applicant/s
(Advocate)		
	ve	ersus	
The Sta	ate of Mal	narashtra and othe	ers
			Respondent/s
(Presenting Officer)	
Office Notes, Office Memoranda of Coran Appearance, Tribunal's orders or directions and Registrar's orders	n,	Trib	ounal's orders
	i,		
	Dat	e: 16.10.2023	
		C.A.No.10/2023	in O.A.No.367/2020
	P.B	Umrani	Applicant
	The	Vs. State of Maharasht	ra & OrsRespondents.
	1.		Chougule, learned Presenting
	Offi	cer for the Respond	ents.
	2.	Mr. P.B. Umran	i Applicant is absent.
	3.	In view that Ap	plicant is absent adjourned to
	26.	11.2023.	
		Sd/-	Sd/
	[]	Medha Gadgil) Member (A)	/ (Mridula Bhatkar, J.) Chairperson
	prk		

Original Application No.	of 20		DISTRICT	
			A	pplicant/
(Advocate)			
	116	rsus		
m . Cu .		narashtra and ot	hars	
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(Presenting Officer	••••••) 		
Office Notes, Office Memoranda of Coram Appearance, Tribunal's orders or directions and Registrar's orders	,	Tı	ribunal's orders	
·.				
	Dat	e: 16.10.2023		
			in O.A.No.1041/2017 Wi No.1042/2017	th
	L.B	Kadam Vs.	Applica	nt
	The		htra & OrsResponde	nts.
	1. Offi	Heard Ms. K.S	S. Gaikwad, learned Presendents.	nting
	2. App	Mr. V.V. Jos licant is absent.	shi, learned Counsel for	the
	pas Cou	t C.A. may be adjosed in O.A. is cha	. Ms. Gaikwad has subrourned in view of that the llenged before the Hon'ble tition No.2065/2020 and	order High
	4.	Adjourned to	11.12.2023. Sd/-	,
		Sd/- ledha Gadg{J} Member (A)	(Mridula Bhatka Chairperson	r, J.)

Original Application No.	of 20		District Applican	.t/s
Advocate)			
	versus			
The Stat	e of Maharashtra	and others		
The Suit			Responder	ıt/
)	-	
(Presenting Officer				
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders		Tribuna	al's orders	
•.				
	Date : 16.10	.2023		
	C.A.No	o.6/2020 in (D.A.No.1044/2017	
	H.G. Chopad	e	Applicant	
	Vs. The State of I	Maharashtra a	& OrsRespondents.	
		l Ms. K.S. Ga e Respondents	ikwad, learned Presenting s.	
	2. Mr. V		earned Counsel for the	
	that C.A. may	y be adjourne A. is challenge Writ Petition	Gaikwad has submitted d in view of that the order ed before the Hon'ble High No.1064/2020 and the	
	4. Adjou	rned to 11.12		
	Sd/-		Sd/-	
	(Medita Ga Member		(Mridula Bhatkar, J.) Chairperson	

Original Application No.	of 20		DISTRICT			
O			Applicant/s			
(Advocate)					
	versus					
The S	State of Maharash	ntra and others				
			Respondent/s			
(Presenting Officer)				
Office Notes, Office Memoranda of Con Appearance, Tribunal's orders or directions and Registrar's orders		Tribun	al's orders			
	Date : 16.	10.2023				
		O.A.No.12	205/2022			
	A.M. Sapk Vs. The State		Applicant & OrsRespondents.			
	Talekar, le	earned Counsel hekar, learned (Kachi holding for Mr. for the Applicant and Ms. Chief Presenting Officer for			
	2. Le	2. Learned Counsel Ms. Kachi seeks time.				
		journed to 06.1	1.2023. Interim relief, if			
	any, to co	d/- Gadgil)	Sd/- (Mridula Bhatkar, J.) Chairperson			

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

O.A. No.1077 of 2016 (OA.785/15 Nagpur)

D.C. Girase

.. Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Ms. Neha Kachi i/b. Talekar & Associates, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

- 2. Ld. PO submits that for her submissions the matter may be placed tomorrow.
- 3. S.O. to 17.10.2023 at 10.30 a.m. Part heard.

Sd/-

Sd/-

(Medha Gadgil) Member (A) 16.10.2023 (Mridula Bhatkar, J.) Chairperson 16.10.2023

(sgj)