

# 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 style="text-align: center;"><b><u>O.A.260/2022</u></b></p> <p><b>Shri S.J. Chavan</b> ... Applicant <b>Vs.</b> <b>The State of Mah. &amp; Ors.</b> ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned P.O. for Respondents.</p> <p>2. This O.A. has been filed with M.A.No.236/2022 for condonation of delay, which is dismissed today.</p> <p>3. Since M.A. is dismissed, the O.A. also stands dismissed, <i>being not within limitation.</i></p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member-J 16.11.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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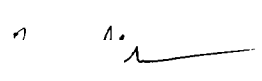
The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date: 16.11.2022
	<p style="text-align: center;"><b>O.A.No.1235/2019 (Mumbai) with M.A.No.388/2022 With O.A.No.111/2020 (Mumbai) With O.A.No.224/2020 (Mumbai) With O.A.215/2020 with M.A.No.49/2021 (Aurangabad) With O.A.No.443/2020 (Aurangabad) With O.A.No.42/2021 (Aurangabad) With O.A.No.15/2022 With O.A.No.532/2022</b></p> <p>M.K. Shivsaran &amp; Ors. ....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.B. Kadam, learned Advocate holding for Dr. Gunratan Sadavarte, learned Advocate for the Applicants in O.A.No.1235/2019, Mr. Shantanu Raktate, learned Advocate for the Applicants in O.A.No.224/2020, Mr. S.P. Samag, Applicant-in person in O.A.No.215/2020 with M.A.No.49/2021, Ms. Sonali Pawar, learned Advocate holding for Mr. S.D. Munde for the Applicants in O.A.No.42/2021 and Ms. Sonali Pawar, learned Advocate for the Applicants in O.A.No.15/2022 and O.A.No.532/2022 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondent (M.P.S.C.) &amp; Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Mr. S. Gaikwad, &amp; N. Sawane, learned Advocate for the Applicants in M.A.No.388/2022, Mr. A.A. Deshmukh, learned Advocate for the Applicants in O.A.No.111/2020, Mr. J.S. Deshmukh, learned Advocate for the Applicant in O.A.No.215/2020 &amp; O.A.No.443/2020 are absent.</p> <p>3. It is made clear by learned C.P.O. that earlier she supported the submissions of the applicants objecting questions that it is out of syllabus and prayers for re-evaluation. However, M.P.S.C. has taken a stand that there is no provision of re-evaluation.</p> <p>4. Learned Advocate Mr. Raktate request for re-evaluation of Question 3(b) and also relied on G.R. dated 30.10.2009 about calculating pensionary benefits. Learned Advocate Mr. Raktate further submits that his matter is not based on BCSR <del>(PTO)</del> MCSR. He submits that learned C.P.O. can make</p>

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	<p>submissions in his absence. He does not want to make further submissions.</p> <p>5. Learned Advocate Mr. Kadam holding for Mr. Sadavarte, submits that though learned C.P.O. is going to make certain submissions, especially on the point of BCSR and MCSR Rules, Mr. Sadavarte does not want to reply or argue any further, because he says that he has argued. He has submitted his argument. We make it clear that though these matters were heard earlier. There were certain issues and the queries raised by this Tribunal, pursuant to which sealed cover envelop were produced wherein experts were asked to answer certain queries. In that course learned C.P.O. further submitted that she has come across provisions in BCSR Rules which are very material on the issue involved in this O.A. We have fixed this matter specifically informing that the relevant submissions of the learned C.P.O. will be heard and if at all learned Counsel of other parties want to make further submissions that can be heard.</p> <p>6. The submissions of both sides are to be taken into account and if any Counsel wants to make further submissions and if at all we have certain queries and we are not satisfied on certain factual or legal issues in order to adjudicate the matter fully.</p> <p>7. Mr. S.P. Samag, Applicant-in person in O.A.No.215/2020 with M.A.No.49/2021 submits that his matter is similar to that of O.A.No.224/2020.</p> <p>8. Adjourned to 17.11.2022.</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> Member(A) <span style="float: right;">Chairperson</span></p> <p>prk</p>

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	<p><b><u>16.11.2022</u></b></p> <p><b><u>O.A 1130, 1131, 1141 &amp; 1142/2022</u></b></p> <p>L.S Patil A.B. Sali S.B Chaudhari S.R Ambadekar ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 14.12.2022.</p> <p>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.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven</b> days or service report on affidavit in not filed <b>three</b> days before returnable date, the Original/Miscellaneous Application 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."</p> <p>8. S.O to 14.12.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/- </p> <p>(Medha Gadgil) Member (A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><b><u>16.11.2022</u></b></p> <p align="center"><b><u>O.A 1080/2022</u></b></p> <p>Shri S.S More ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms N. More, learned counsel for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 30.11.2022.</p> <p>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.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within <b>seven</b> days or service report on affidavit in not filed <b>three</b> days before returnable date, the Original/Miscellaneous Application 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."</p> <p>8. S.O to 30.11.2022.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson [P.T.O.]</p>

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	<p style="text-align: center;"><b><u>16.11.2022</u></b></p> <p style="text-align: center;"><b><u>O.A No 1133/2022</u></b></p> <p>Shri S.D Deshmukh &amp; Ors ... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Y.B Lengare, learned advocate for the applicants and Ms S.P Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicants pray that the impugned order dated 21.10.2022 passed by Respondent no. 2 thereby reducing the grade of appointment of Auditor and Accountant in respect of the applicant no. 2 from Grade-B to Grade-C and in respect of the applicants no 1, 3 to 7 from Grade-A to Grade-B. Learned counsel submits that no notice is given to the applicants before reversion.</p> <p>3. Learned C.P.O submits that in view of the decision of the M.A.T, Nagpur Bench dated 8.1.2019, in O.A 1025/2018, the present applicants are reduced in rank, as it is necessary for the Department to follow the orders of the Tribunal. Learned C.P.O submits that it is not reversion in rank.</p> <p>4. In view of the order passed by the Division Bench of the Maharashtra Administrative Tribunal, Nagpur Bench in O.A 1025/2018, we are not granting any interim relief at this stage. However, we keep the issue of interim relief open.</p> <p>5. It any coercive action is taken by the Respondents, that will be subject to the outcome of the present Original Application.</p> <p>6. S.O to 18.11.2022.</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p style="text-align: center;">Akn</p> <p style="text-align: right;">[P.T.O.]</p>

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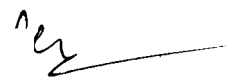
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	<p align="center"><b><u>16.11.2022</u></b></p> <p align="center"><b><u>C.A 64/2022 in O.A 608/2019</u></b></p> <p>Dr Mukund V. Pande ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that she wants four weeks' time to implement the order of this Tribunal. The file is received from the Finance Department with some query and the same will be removed and submitted to the Finance Department.</p> <p>3. The Finance Department and the Public Health Department to see that the order of this Tribunal dated 18.10.2021 in O.A 608/2019 is complied with. Moreover, the applicant is a Senior Citizen and 75 years old and he is supposed to receive the pensionary benefits as per order of this Tribunal.</p> <p>4. Under the circumstances, we direct the concerned person from the Public Health Department to move the file to the Finance Department immediately and see that the order of this Tribunal is complied with.</p> <p>5. S.O to 23.11.2022.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p align="center"><b>O.A.No.27 of 2022 with M.A.No.560 of 2022</b></p> <p>M.S. Khadse .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Rajendra Sorankar, learned Advocate i/b. Mr. Ketan Dabke, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Sorankar relied on the following judgments :-</p> <p>(a) Union of India Versus Narendra Singh, Appeal (Civil) 5865/2007 dated 13.12.2007. (para 30, 31 and 28).</p> <p>(b) Kusum Bapurao Dhoure Versus State of Maharashtra &amp; Ors., reported in 1989 Mh.L.J.) (para 3)</p> <p>(c) A.K. Kraipak and Ors. Versus Union of India and Other, reported in AIR 1970 SC 150) (para 23)</p> <p>(d) Avinash Prabhakar Latpate &amp; Ors. Versus State of Maharashtra &amp; Ors. reported in 2007(1) Mh.L.J.</p> <p>3. Learned C.P.O. states that she will answer on the judgments relied by learned Advocate.</p> <p>4. Adjourned to 18.11.2022 at 10.30 a.m.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p align="left">prk</p> <p align="right">[P.T.O.]</p>



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	<p style="text-align: center;"><b><u>16.11.2022</u></b></p> <p style="text-align: center;"><b><u>C.A 69/2022 in O.A 339/2020</u></b></p> <p>Smt Manisha V. Mohite ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The Respondents are directed to file affidavit in reply by way of last chance and if the reply is not filed the matter will proceed.</p> <p>3. S.O to 30.11.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Akn</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

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	<p><b><u>16.11.2022</u></b></p> <p><b><u>M.A 488/2022 in O.A 809/2022</u></b></p> <p>N.D Tasgaonkar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. None present for the applicant. Heard Smt K.S Gaiwad, learned P.O for the Respondents.</p> <p>2. Learned P.O states that copy of the Misc Application is not served on the Respondents.</p> <p>3. Learned counsel to remain present and serve copy on the Respondents.</p> <p>4. S.O to 23.11.2022.</p> <p>Sd/- <b>(Medha Gadgil)</b> Member (A)</p> <p>Akn</p> <p>Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p>

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	<p style="text-align: center;"><b><u>16.11.2022</u></b></p> <p style="text-align: center;"><b><u>M.A 346/2017 in O.A 760/2017</u></b></p> <p>Shri S.R Yadav ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms Purva Pradhan i/b Shri D.B Khaire, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. Respondents are directed to file affidavit in reply by way of last chance.</p> <p>4. S.O to 14.12.2022.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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**Tribunal's orders**

16.11.2022O.A 1115, 1116, 1117 & 1118/2022

S.R Khade  
M.C Mhaske  
U.S Gurav  
A.S.M.I Shaikh

... Applicants

Vs.

The State of Maharashtra &amp; Ors

... Respondents

1. Heard Shri A.S Patil, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Any promotion orders that will be issued hereafter will be subject to the outcome of these Original Applications and the same should be mentioned in the promotion orders.

3. We direct the Respondents to depute a responsible officer who is conversant with the facts of the case to remain present before this Tribunal on 18.11.2022.

4. S.O to 18.11.2022.

Sd/-

(Medha Gadgil)  
Member (A)

Akn

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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

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	<p><b>Date: 16.11.2022</b></p> <p align="center"><b>O.A. No.1014 of 2022</b></p> <p>✓ <i>D.P. Parabude</i> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Though Applicant stands retired on 31.05.2020 but his Gratuity is not paid. Tribunal had issued notices on 13.10.2022 but no Reply is filed. On previous date learned P.O. was directed to take instructions from the Department and apprise the Tribunal as to why Gratuity is withheld. However, learned P.O. submits that she made correspondence with the Department but she has not received any communication.</p> <p>3. Learned Advocate for the Applicant submits that neither there was D.E. nor any criminal prosecution is pending against the Applicant so as to withheld Gratuity.</p> <p>4. One day time is granted to learned P.O. to take instruction from the Respondents to apprise the Tribunal to why Gratuity is withheld. Respondents are also at liberty to file short Affidavit to that effect by tomorrow.</p> <p>5. S.O. to 17.11.2022.</p> <p align="right">Sd/- v <b>(A.P. Kurhekar)</b> <b>Member (J)</b></p> <p>NMN</p> <p align="right">[P.T.O.]</p>

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

Date: 16.11.2022

O.A. No.940 of 2022

S.B. Kashid .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. O.A. is filed for Pay and Allowances in view of revision of Pay in terms of G.R. dated 08.03.2019.

3. Learned Advocate for the Applicant fairly submits that prayer Clause a) about difference of Pay and Allowances from 01.01.2016 to 31.03.2019 is already satisfied.

4. As regard, prayer clause b) & c) learned Advocate for the Applicant has pointed out that Respondents in their Affidavit-in-Reply admits the entitlement of the Applicant to the same and bills were also submitted to the Treasury but it is returned back for some queries. According to him the Department has again submitted bill after compliance of objection.

5. Learned P.O. on instruction also concedes that the bill were submitted to the Treasury but those were returned back and were again resubmitted.

6. In view of above, nothing is to be adjudicated in the matter.

7. O.A. is therefore disposed of with direction to the Respondents to ensure payment of <sup>Q44 P041</sup> ~~costs~~ to the Applicant in terms of G.R. dated 08.03.2019 & 20.05.2021 (which is payable to him) within two weeks from today. Respondents shall depute special officer for compliance of the objection if any raised by Treasury and shall ensure compliance.

8. The Applicant is at liberty to make representation for interest if entitled to it.

9. No order as to costs. Sd/-

(A.P. Kurhekar)  
Member (J)

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	<p><b>Date: 16.11.2022</b></p> <p style="text-align: center;"><b>O.A. No.1114 of 2022</b></p> <p><b>R.P. Marekar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged order of punishment of withdrawing increment for two years without specifying as to whether with cumulative effect or without cumulative effect which is communicated to the Applicant by covering order dated 04.03.2017 and also challenged order communicated to him by order dated 13.07.2022.</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 14.12.2022.</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 14.12.2022.</li> </ol> <p style="text-align: right;">N .A Sd/- r <b>(A.P. Kurhekar)</b> <b>Member (J)</b></p> <p>NMN</p>

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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 16.11.2022</b></p> <p style="text-align: center;"><b>O.A. No.1061 of 2021 with O.A. No.195 of 2022</b></p> <p><b>B.G. Karde</b> <b>T.S. Sable</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Respondents have not filed Additional Affidavit-in-Reply in terms of order passed by the Tribunal on 16.09.2022. It is only the Applicant who has filed Additional Affidavit-in-Reply in terms of the order dated 16.09.2022 to clarify the benefits availed under Contributory Pension Scheme.</p> <p>3. In view of above, I am not inclined to grant further time to the Respondents for filing Affidavit-in-Reply pertaining benefits availed by the Applicant in Contributory Pension Scheme.</p> <p>4. Learned P.O. however submits that Collector Satara has already forwarded proposal to The Additional Commissioner, Pune on 30.12.2021 favorable to the Applicant. He therefore sought time to take instruction about further process about that proposal for grant of Contributory Pension Scheme.</p> <p>5. S.O. to 18.11.2022.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member (J)</p> <p style="text-align: center;">NMN</p> <p style="text-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><b>Date: 16.11.2022</b></p> <p align="center"><b>O.A. No.1109 of 2022</b></p> <p><b>C.M. Kadu</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant stands retired on 31.05.2019 and he has raised grievance of non-payment of retiral benefits.</li> <li>3. On instruction learned P.O. submits that process for difference of payment of retiral benefits in terms of 7<sup>th</sup> Pay Commissioner is under process and the payment will be made soon. According to him retiral benefits in terms of 6<sup>th</sup> Pay Commissioner is already paid.</li> <li>4. In view of above, learned Advocate for the Applicant is directed to keep his client present on next date and apprise the Tribunal as what benefits are already received and what remains unpaid.</li> <li>5. Learned P.O. should also file short Affidavit about the payment done and payment remains due in terms of 7<sup>th</sup> Pay Commission so that O.A. can be disposed of.</li> <li>6. S.O. to 21.11.2022.</li> </ol> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></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: 16.11.2022</p> <p align="center"><b>O.A. No.987 of 2022</b></p> <p><b>A.D. Nathe</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 &amp; 2. It is taken on record.</li> <li>3. On request of learned Advocate for the Applicant two weeks time is granted to file Rejoinder.</li> <li>4. S.O. to 30.11.2022.</li> </ol> <p align="right">   Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b> </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: 16.11.2022</p> <p align="center">O.A. No.950 of 2022</p> <p>S.G. Pawar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Dr. R.P. Sabban, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</li> <li>3. O.A. be kept with connected O.A. No.924/2022 pending in the Tribunal on same issue.</li> <li>4. S.O. to 23.11.2022.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.11.2022</p> <p align="center">O.A. No.939 of 2022 with O.A. No.952 of 2022</p> <p>A.S. Dhage S.M. Sangle .....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 along with Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.</li> <li>3. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply.</li> <li>4. These two O.As. be kept along with connected group of O.A. No.26/2022 &amp; Ors.</li> <li>5. S.O. to 28.11.2022.</li> </ol> <p align="right"> <sup>^</sup> Sd/-   <sup>w</sup> (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: 16.11.2022</p> <p>O.A. No.914 of 2022</p> <p>Dr. K.D. Dayal .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 01.12.2022.</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

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: 16.11.2022</p> <p>O.A. No.835 of 2022</p> <p>N.A. Tittal-Chavan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Smt. Sheetal R. Kolge, learned Advocate holding for Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 02.12.2022.</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\_\_\_\_

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: 16.11.2022</p> <p align="center">O.A. No.664 of 2022</p> <p>S.A. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has tendered letter dated 09.11.2022 issued by the Applicant for withdrawing of O.A. It is taken on record and marked by letter 'X' for identification.</p> <p>3. In view of above, learned Advocate for the Applicant sought permission to withdraw O.A.</p> <p>4. Allowed to withdraw O.A. with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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
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**O.A.356/2022**

**Smt. S.R. Kore** ... Applicant  
**Vs.**  
**The State of Mah. & Ors.** ... Respondents

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned Presenting Officer for Respondents is present.

2. Today, learned P.O. sought permission to file Additional Affidavit-in-reply on behalf of Respondent No.2 to be filed in terms of order passed by the Tribunal on 18.10.2022. Indeed, it was to be filed within time granted by the Tribunal, but not filed.


3. However, in the interest of justice, allowed to file the same. Pagination be done and it be taken on record.

4. When the matter is taken up for hearing, it is revealed that during the pendency of O.A, Respondent No.2 has passed order on 13.10.2022 rejecting the claim of Applicant for ex-gratia payment of Rs.50 lakh. It needs to be challenged by making proper amendment in O.A.

5. Learned Advocate for the Applicant sought time to amend the O.A.

6. Adjourned to 21.11.2022.

Sd/-

  
**(A.P. Kurhekar)**  
**Member-J**  
**16.11.2022**

(skw)



**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
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**O.A.927/2022**

**Shri B.A.K. Shaikh** ... Applicant  
**Vs.**  
**The State of Mah. & Ors.** ... Respondents

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondent No.1 and Shri S.V. Gutte, learned Advocate for Respondent No.2 is present.
2. Today, learned Advocate for the Applicant filed Rejoinders. It is taken on record.
3. S.O. to 01.12.2022.

Sd/-

(A.P. Kurhekar)  
Member-J  
16.11.2022

(skw)

**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
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**O.A.248/2022**

**Shri N.N. Revadekar** ... Applicant  
**Vs.**  
**The State of Mah. & Ors.** ... Respondents

1. Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer is present.
2. Today, learned Advocate for the Applicant filed Rejoinder. It is taken on record.
3. S.O. to 08.12.2022.

Sd/-

**(A.P. Kurhekar)**  
**Member-J**  
**16.11.2022**

(skw)

**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 : 16.11.2022</b></p> <p><b>O.A.No.383 of 2022</b></p> <p>A.G. Tainak &amp; Ors .....Applicants 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 and Mr. M.D. Lonkar, learned Advocate for the Respondents No.1 to 35.</p> <p>2. At the request of learned Advocate Mr. Lonkar matter adjourned to 22.11.2022. HOB</p> <p style="text-align: center;">Sd/- <b>(Medha Gadgil)</b> Member(A)</p> <p style="text-align: center;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson</p> <p>prk</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>

**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 : 16.11.2022**

**O.A.No.570 of 2017**

B.G. Kingare & Ors. ....Applicants  
Vs.

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

1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and Mr. K.R. Jagdale, learned Advocate for the Respondent No.6.

2. This O.A. is filed by 20 applicants. Out of which 17 applicants are retired from 2017 till date. All the applicants terminated by order dated 31.05.2017.

3. Adjourned to 12.12.2022.

Sd/-  
(Medha Gadgil)  
Member(A)

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson

prk

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
Date : 16.11.2022  
**MUMBAI**

Original Application No. ~~O.A.No.512062019~~ with ~~M.A.No.289~~ 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 : 16.11.2022
	<p align="center"><b>O.A.No.512 of 2019 with M.A.No.289 of 2019</b></p> <p>G.T. Garud .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A. is filed seeking condonation of delay of 5 years and 10 month in filing O.A.</p> <p>3. O.A. is filed challenging the order dated 01.04.2013. Learned Advocate makes statement at the bar that Applicant has not contacted him. Applicant was promoted from the post of Naib Tahasildar to Tahasildar on 01.04.2013 for the period of 11 months. Applicant never worked as Tahasildar because he was never given posting. On oral query made by him, he was orally informed that he did not possess valid Caste Certificate of ST.</p> <p>4. Learned Advocate submits that the issue of validity of Caste Certificate was pending before the Caste Scrutiny Committee. Though he approached the Hon'ble High Court, the certificate was issued on 06.08.2018. He submits that he has also moved representation on 20.08.2018 and thereafter another representation on 15.07.2019 which was made to the Principal Secretary, Revenue and Forest Department. He submits that he is not pressing Prayer A in O.A. where he seeks direction for implementation of the order dated 01.04.2013. However, he submits that he has amended the O.A. and he presses Prayer B. Prayer B was added by way of order dated 29.07.2019 that the <sup>[P.T.O.]</sup>said</p>



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

**Tribunal's orders**

representation is not decided by the competent authority from the Revenue and Forest Department.

5. Learned C.P.O. opposes the maintainability of the O.A. on the ground of delay. She submits that the said representation is decided by the Deputy Commissioner, Mr. Siddharam Salimath which is approved by the Divisional Commissioner.

6. In view that Prayer A is not pressed we allow the O.A. with following order :-

**Q R D E R**

- (a) To the extent of seeking direction that the competent authority to decide the representation.
- (b) Additional Chief Secretary, Revenue and Forest Department is hereby directed to decide the representation dated 15.07.2019 within the period of three months from today i.e. on or before 20.02.2023 and communicate the same to the Applicant within one week thereafter.

7. In view that prayer in O.A. is modified, M.A. does not survive and hence, stands disposed of.

Sd/-  
(Medha Gadgil)  
Member(A)

Sd/-  
(Mridula Bhatkar, J.)  
Chairperson



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 16.11.2022</b></p> <p><b>M.A. No.640 of 2022 in O.A. No.1113 of 2022</b></p> <p><b>B.T. Rathod .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay caused in filing O.A. wherein challenge is to the order of re-fixation of pay and recovery dated 25.02.2020. Learned Advocate for the Applicant has pointed out that limitation of one year to challenge order dated 25.02.2020 expired during the period of COVID-19 Pandemic situation in reference to the order of Hon'ble Supreme Court in Suo Moto Writ Petition (Civil) No.03/2020 dated 10.01.2022 and prayed to condone delay.</p> <p>3. Per contra, learned P.O. opposed the Application for condonation of delay stating that delay after pandemic period was over is not properly explained.</p> <p>4. As per order of Hon'ble Supreme Court referred to above, where limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all person shall have a limitation period of 90 days from 01.03.2022.</p> <p>5. Learned Advocate for the Applicant has pointed out that in other connected matters in similar situation the re-fixation of pay and recovery order was quashed by the Tribunal.</p> <p>6. In view of above, I am inclined to condone delay so as to decide O.A. on merit.</p> <p>7. M.A. No.640/2022 is accordingly allowed with no order as to costs.</p> <p style="text-align: right;">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p>

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

Tribunal's orders

Date: 16.11.2022

O.A. No.1113 of 2022

B.T. Rathod .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. The Applicant has challenged order of refixation of pay and recovery dated 25.02.2020. Delay is already condoned in view of order passed in M.A. No.640/2022.

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

4. Issue notice before admission returnable on 14.12.2022.

5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

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

9. S.O. to 14.12.2022.

Sd/-

(A.P. Kurhekar)  
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

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

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 16.11.2022</p> <p align="center"><b>O.A. No.1127 of 2022</b></p> <p>S.D. Gawai .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Om M. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 25.01.2017 pertaining to refixation of pay and allowances without filing M.A. for condonation of delay. The Office has already raised objection but not complied.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted to file M.A. for condonation of delay. If M.A. is filed within two weeks the matter be listed for admission along with M.A. However, if M.A. is not filed within two weeks O.A. would stand dismissed for non compliance of the order without reference to the Tribunal.</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 data-bbox="776 316 1003 345"><b>Date: 16.11.2022</b></p> <p data-bbox="997 352 1284 381"><b>O.A. No.1110 of 2022</b></p> <p data-bbox="776 430 1507 540"> <b>V.P. Pingle</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents. </p> <ol style="list-style-type: none"> <li data-bbox="776 587 1507 708">1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li data-bbox="776 759 1507 1687">2. The Applicant is widow of deceased Government servant who died on 13.01.2008. Deceased Government servant was given benefit of 1<sup>st</sup> Time Bound Promotion Scheme (TBPS) by order dated 01.03.2017 and he was given benefit w.e.f. 03.04.2007. It was granted considering that said post was isolated post. Thereafter, the Applicant (widow of Deceased Government servant) made representation in the month of April 2021 to Respondent No.2 – The Additional Commissioner of Police, Motor Transport received by the Department on 04.05.2021 claiming benefit of the decision rendered by the Tribunal in O.A. No.566/2016 decided on 16.03.2017 in the matter of Shri Rahate &amp; Shri Gaikwad. Respondent No.2 by communication dated 12.08.2021 informed that matter is referred to the Government on 05.08.2019 in view of the objection raised by Treasury in the matter of Shri Rahate &amp; Shri Gaikwad. Thus it appears from communication dated 12.08.2021 for want of orders from Government, representation made by the Applicant is not yet decided.</li> <li data-bbox="776 1738 1507 1944">3. Regret to note that proposal seems to have been forwarded to the Government on 05.08.2019 but till date no decision is taken despite reminder issued by Respondent No.2 - The Additional Commissioner of Police, Motor Transport.</li> <li data-bbox="776 1996 1507 2202">4. Learned P.O. is therefore directed to take instruction and apprise the Tribunal why no decision is taken on the proposal dated 05.08.2019 forwarded by The Additional Commissioner of Police, Motor Transport to the Government.</li> <li data-bbox="776 2254 1507 2305">5. O.A. be kept tomorrow i.e. on 17.11.2022.</li> </ol> <p data-bbox="1159 2331 1365 2485" style="text-align: center;"> <sup>N</sup>  Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b> </p> <p data-bbox="776 2493 820 2519">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><b>Date: 16.11.2022</b></p> <p align="center"><b>O.A. No.1128 of 2022</b></p> <p><b>R.L. Bikkad .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <ol style="list-style-type: none"> <li>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has challenged order dated 19.08.2022 whereby he is shown temporarily transferred from Thakurwadi, Forest Circle to Dodamarga for Elephant Bandobasta. According to the Applicant under the guise of temporary deputation he is transferred in contravention of law.</li> <li>3. The Applicant made representation on 27.09.2022 for sending him back to his original post but it is not responded.</li> <li>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>5. Issue notice before admission returnable on 14.12.2022.</li> <li>6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</li> <li>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</li> </ol> <p align="right">[PTO.]</p>

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

Tribunal's orders

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

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

10. S.O. to 14.12.2022.

11. In the mean time, Respondents shall take appropriate decision on representation made by the Applicant dated 27.09.2022 and shall appraise the Tribunal on next date.

Sd/-

(A.P. Kurhekar)  
Member (J)

NMN