

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 1268 OF 2022

DISTRICT : PUNE

Shri B.D Kamble & 450 ors)...**Applicants**

Versus

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

Smt Punam Mahajan, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents no 1 & 2.

Shri Ravi Shetty with Shri S.S Dere, learned counsel for Respondents no 3 to 42.

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Mrs Medha Gadgil (Member) (A)

DATE : **16.12.2022**

PER : **Justice Mridula Bhatkar (Chairperson)**

ORDER

1. The applicants having apprehension that by the orders dated 23.9.2022 and speaking to the minutes order dated 28.9.2022 passed by this Tribunal in O.A Nos 557/2021 and 676/2021, granting deemed date to 41 PSI of the batch of 104 and above who are junior to the applicants may affect their seniority have filed this Original Application. The present applicants, the direct recruits of the batch of 203 have approached this Tribunal for the

relief that their seniority should be kept intact while implementing the order of this Tribunal dated 23.9.2022 and speaking to the minutes order dated 28.9.2022 in O.A Nos 557/2021 & 676/2021. The applicants also further pray that the interim stay granted for promotion to the post of Police Inspector be vacated.

2. Pursuant to the orders dated 23.9.2022 speaking to the minute order dated 28.9.2022 passed by this Tribunal in O.A Nos 557/2022 & 676/2021, O.A 1190/2022 was preferred by the direct recruits who are working as Assistant Police Inspectors at present of the Batch No. 103, for the purpose of maintaining their seniority. In the said Original Application No. 1190/2022, the Tribunal by order dated 29.11.2022 has directed the Respondents not to disturb the settled seniority of the applicants-direct recruits of the said batch, i.e., Batch No. 106

3. Learned counsel Mrs Punam Mahajan for the applicants has submitted that the applicants are squarely covered by the order of this Tribunal dated 29.11.2022 in O.A 1190/2022 as they are similarly situated and, therefore, the same order is to be passed in the present Original Application and as the applicants are direct recruits they are appointed through the avenue of direct recruits and their promotions are not to be stalled.

4. Learned counsel Mr Ravi Shetty with Shri S.S Dere, for the private Respondents who are in fact the applicants in O.A Nos 557/2021 & 676/2021 opposed the prayer of grant of interim relief on various grounds. Learned counsel for the private Respondents argued that the present Original Application is premature as no cause of action has arisen to file this Original Application. Learned counsel has submitted that the order dated 23.9.2022 passed in O.A Nos 557/2021 & 676/2021 is not yet implemented by the

Respondent-State and therefore, there is no reason for the present applicants to approach the Tribunal on speculation that their seniority is going to be affected. Learned counsel for the private Respondents has submitted that the Tribunal in the impugned order has given directions for grant of deemed date to the private Respondents, (the applicants therein) and it is not going to affect in any manner the seniority of the present applicants. There was no issue of seniority in those two Original Applications. O.A Nos 557/2021 & 676/2022 were filed merely for grant of deemed date of promotion pursuant to the G.R dated 7.5.2021, wherein the Respondent-State with a view to implement the judgment and order dated of the Hon'ble High Court dated 4.8.2017 in State of Maharashtra & Ors Vs. Vijay Ghogre & Ors, W.P No. 2797/2015, has taken a policy decision to do away with the reservation in promotions. Therefore, the present private Respondents wanted the Respondent-State to implement the order of the Hon'ble High Court in Vijay Ghogre's case.

5. Learned counsel has further submitted that in the present Original Application the applicants in paragraphs 6.23.1 and 6.23.2 have mentioned that the applicants who are in fact senior they are going to suffer adversely as the juniors to them will march over the seniors. The reference is also made to the judgment and order of the Hon'ble Bombay High Court dated 4.8.2017 in W.P 2797/2015, VIJAY GHOGRE's case. Learned counsel has further submitted that though the applicants in fact wanted the Respondent-State to implement the orders passed in the case of VIJAY GHOGRE and it is exactly ordered by this Tribunal in its order dated 23.9.2022 in O.A Nos 557/2021 & 676/2021. Therefore, there should not be any complaint on the part of the applicants in implementing the order in the case of Vijay Ghogre. Learned counsel for the private Respondents has further submitted

that it appears from the reading of these two paragraphs of the Original Application, the applicants have in fact the grievance for keeping the reservation intact as it is mentioned in paragraph 4 of the G.R dated 7.5.2021. However, the applicants could have challenged the said G.R dated 7.5.2021. The applicants without challenging clause 4 of the G.R dated 7.5.2021, instead they have challenged the order of the Tribunal dated 23.9.2022 in O.A Nos 557/2021 & 676/2021.

6. Learned counsel for the private Respondents has further submitted that the present applicants are not necessary party in the Original Application Nos 557/2021 & 676/2021 as their seniority is not going to be disturbed in view of the order of the Tribunal directing the Respondents to grant deemed date to the private Respondents, (the applicants in O.A 557/2021 and 676/2021). In support of his submission on the point of non-joinder of parties, he relied on the following decisions of the Hon'ble Supreme Court.

- (i) **The General Manager, South Central Railway, Secunderabad & Anr Vs. A.V.R Siddhantti & Ors, (1974) 4 SCC 335.**
- (ii) **A Janaradhana Vs. Union of India & Ors (1983) 3 SCC 601.**

7. By way of learned counsel Mrs Punam Mahajan, while advertng to the issue of non-joinder of parties and other submissions, produced a Chart prepared by the applicants showing how the applicants would be placed in the seniority list when the impugned orders of the Tribunal are implemented by the Respondent-State. The said Chart is taken on record and marked as Exh.1. Learned counsel has submitted that the applicants stand on a different footing than the private Respondents. The Tribunal while passing the impugned order has not stated that the

case of the direct recruits is to be kept aside while granting the deemed date to the private Respondents and in absence of such directions in the said order, the applicants are going to be directly affected if the Respondents while implementing the order of this Tribunal especially in view of the G.R dated 7.5.2021.

8. Learned C.P.O on query raised by Advocate Shri Shetty, about submission of quantifiable data before the Hon'ble Supreme Court in SLP No. 28306/2017, in VIJAY GHOGRE's case has submitted that the quantifiable data was presented before the Hon'ble Supreme Court on 20.9.2022 and the same is pending before the Hon'ble Supreme Court. Thus, from the submissions of the learned C.P.O the Respondent-State has complied with the order of the Supreme Court by collecting the quantifiable data and presenting before the Hon'ble Supreme Court.

9. In **SIDDHANTTI's** case, the Hon'ble Supreme Court observed as under:-

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"15. As regards the second objection it is to be noted that the decisions of the Railway Board impugned in the writ petition contain administrative rules of general application, regulating absorption in permanent departments, fixation of seniority, pay etc of the employees of the erstwhile Grain Shop Departments. The respondent-petitioners are impeaching the validity of those policy decisions on the ground of their being violative of Articles 14 and 16 of the Constitution. The proceedings are analogous to those in which the constitutionality of a statutory rule regulating seniority of Government servant is assailed. In such proceedings the necessary parties to be impleaded are those against whom the relief is sought, and in whose absence no effective decision can be rendered by the Court. In the present case, the relief is claimed only against the Railway which has been impleaded through its representative. No list or order fixing seniority of the petitioners vis-à-vis particular individual, pursuant to the impugned decisions, is being challenged. The employees who are likely to be affected as a result of the re-adjustment of the petitioner's

seniority in accordance as a result of the re-adjustment of the petitioner's seniority in accordance with the principles laid down in the Board's decision of October 16, 1952 were at the most, proper parties and not necessary parties, and their non-joinder could not be fatal to the writ petition."

10. In **JANARDANA's** case the same view is reiterated by stating difference in proper and necessary party.

11. As we have mentioned above according to us the case of the applicants being the direct recruits is similarly situated with the applicants in the case in O.A no. 1190/2022, Shri N.A Bankar & Ors Vs. State of Maharashtra & Ors. The applicants therein were in the batch of 106, while the applicants in the present case are from the batch of 103 direct recruits. Principally the ratio laid down in the case of SIDDHANTTI & JANARADNA enlighten us to determine who are the necessary parties and proper parties. In law and principle, the ratio laid down is very much applicable to all such issues. The applicants are the direct recruits and assuming that the private Respondents, being the promotees stand on a different footing and therefore the applicants were not necessary party in O.A Nos 557/2021 and 676/2021. Therefore, obviously the order passed in that matter is to be read independently and separately and the order passed in O.A 1190/2022 is also be read independently. We have considered this position while passing the order dated 29.11.2022 in O.A 1190/2022.

12. It is the not the issue of seniority as argued by the learned counsel for the Respondents, however, we have earlier dealt with similar issue in O.A 1190/2022 and we adopt the same order:-

8. At the outset, we make it clear that when the Original Applications No 557/2021 & 676/2022 were heard and the learned counsel for the applicants in that matter and the learned C.P.O for the Respondents did not mention anything

about the seniority of direct recruits appointed to the post of P.S.I. Hence, we did not contemplate that implementation of the orders in O.A 557/2021 & 676/2022, which are pursuant to the order of corrective measures in Vijay Ghogre's case, W.P 2797/2015, would affect adversely the direct recruits. We are informed by the learned C.P.O that even in that matter the issue of seniority of the direct recruits was not at all raised. Moreover, the issue as per the G.R dated 7.5.2021 was restricted only to reservation in promotions. We obviously fully concentrated on the process of promotion in the feeder cadre and the reservation and we could not speculate the repercussions of this orders on the cadre of direct recruits in the cadre of P.S.I. However, as the applicants have come before the Tribunal, who are the direct recruits and not from the mode of recruitment of the Respondents, i.e., through Limited Departmental Examination to the post of P.S.I, we apply the basic principles of seniority that settled seniority of long years is not to be unsettled generally once it is fixed. So far as the issue of reservation is concerned, the applicants stand on a different footing than the promotee Respondents. There is a fixed quota for the direct recruits which obviously cannot be disturbed so also their settled seniority.

9. Thus, at the interim stage, we direct the Respondents not to disturb the settled seniority of the applicants, direct recruits. We are of the view that the G.R dated 7.5.2021 has created catch-22 situation and we are sure that the Government has its own policy and the ways to implement the G.R without unsettling the seniority of the direct recruits.


13. We specifically observed that none of the parties in these matters had challenged the G.R dated 7.5.2021 and so all the parties seek relief under the said G.R by specifically stating that the said G.R is issued to implement the orders passed by the Hon'ble High Court in VIJAY GHOGRE's case. We observe that the G.R is issued pursuant to the judgment and order passed in the case of VIJAY GHOGRE and as on today the said judgment and order holds the filed. We also note that there is no compliance of the judgment and order of the Hon'ble Bombay High Court in VIJAY GHOGRE's case, why none of the parties have approached before the Hon'ble Bombay High Court filing contempt proceedings

which may be a proper remedy. The challenge given to the judgment in Vijay Ghogre's case is still pending before the Hon'ble Supreme Court. However, as we have observed that it is the Respondent-State, who in its wisdom has framed the policy to implement the judgment of the Hon'ble Bombay High Court in VIJAY GHOGRE's case. We find that clause no. 4 of the said G.R and other clauses clash. However, we are not dealing with the challenge herein. The private Respondents have also not challenged the said clause no. 4 in O.A nos 557/2021 & 676/2021. Thus, we direct the State not to unsettle the seniority of the applicants while granting deemed date to the Respondents.

14. The applicant are direct recruits and order of stay granted by this Tribunal in O.A 557/2021 & 676/2021 will not come in the way of promotion of the present applicants to the post of Police Inspector.

15. S.O 3.1.2023.

Sd/-
(Medha Gadgil)
Member (A)


Sd/-
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 16.12.2022
Dictation taken by : A.K. Nair.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 16.12.2022</p> <p>O.A.No.1244/2022</p> <p>S.G. KochureApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Mr. K.R. Jagdale, learned Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 3. Issue notice before admission returnable on 06.01.2023. 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 <i>compliance</i> 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 Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed. 8. Adjourned to 06.01.2023. <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 16.12.2022

C.A.No.69/2022 in O.A.No.339/2020

M.V. MohiteApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Jagdale learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned P.O. submits that reply and rejoinder is already filed.

3. Respondent-State is directed to make a specific statement as when the State Level Final seniority list will be prepared as the proposal of the applicant is pending. Respondents also to state when they are going to comply with the order of the Tribunal.

4. In view of the order of the Tribunal, Respondent cannot promote any person who is junior to the Applicant.

5. Adjourned to 13.01.2023.

Sd/-

(Medha Gadgil)
Member(A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 16.12.2022

O.A.No.1230/2022 with O.A.No.1256/2022

B.M. Sonar & Ors..Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. A.S. Khedkar, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 20.01.2023.

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 seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.

8. Adjourned to 20.01.2023.

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
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Date : 16.12.2022

O.A.No.1133/2022

S.D. Deshmukh & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Lengare Y.B. learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Today learned C.P.O. files reply. Taken on record. Copy is served to learned Advocate.

3. Admit. Adjourned to 10.01.2023.

Sd/-

(Medha Gadgil)
Member(A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="803 586 1047 619">Date: 15.12.2022</p> <p data-bbox="860 641 1429 674">O.A.No.488/2021 with O.A.No.660/2021</p> <p data-bbox="803 707 1445 741">S.C. Patil & Ors.Applicant</p> <p data-bbox="917 741 1023 774">Versus</p> <p data-bbox="803 774 1485 807">The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> <li data-bbox="803 829 1494 962">1. Heard Mr. S.D. Patil, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents <li data-bbox="803 1006 1494 1139">2. Learned C.P.O. submits that reply is filed in O.A.No.488/2021 and time may be granted for filing reply in O.A.No.660/2021. <li data-bbox="803 1183 1494 1271">3. Time granted by way of last chance to file reply in O.A.No.660/2021. <li data-bbox="803 1305 1242 1338">4. Adjourned to 12.01.2023. <p data-bbox="941 1371 1015 1415">Sd/-</p> <p data-bbox="1274 1371 1347 1415">Sd/-</p> <p data-bbox="860 1437 1071 1515">(Medha Gadgil) Member (A)</p> <p data-bbox="1153 1437 1453 1515">(Mridula Bhatkar, J.) Chairperson</p> <p data-bbox="812 1537 852 1570">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.959 of 2022 & O.A. No.962 of 2022</p> <p>M.R. Jadhav & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. These two O.As were disposed of by order dated 10.11.2022 but the said order is recalled today in view of order passed in M.A. No.685/2022. O.A. is therefore required to be decided on its own merit.</p> <p>3. In view of O.A., notices were already issued to the Respondents.</p> <p>4. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply in O.A.</p> <p>5. S.O. to 04.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p>O.A. No.857 of 2021</p> <p>L.P. Gaikwad & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.S. Jadhav, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant one week time is granted to file Rejoinder.</p> <p>3. S.O. to 15.12.2022 ^{11/01/2023} bz</p> <p style="text-align: right;">Sd/- </p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1245 of 2022</p> <p>B.J. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 19.11.2022 <i>inter-alia</i> contending that there is no such case of suspension and secondly his Headquarter is kept at different place i.e. Swantantrapur Open Vasahat, Tal. Atpadi, Dist. Sangli which is in contravention of provision of circular dated 19.03.2008.</p> <p>3. The perusal of suspension order reveals that offence u/s of 7, 7A and 12 of Prevention of Corruption Act, 1988 was registered against the Applicant on 19.11.2022 with Yerwada Police Station, and therefore the Applicant came to be suspended invoking Rule 4(1) of M.C.S. (Discipline & Appeal) Rules, 1979. There is no denying that offence under the provision of Prevention of Corruption Act, 1988 has been registered against the Applicant and it being recent incident, it is under investigation with A.C.B.. Period of one month is even not over from the date of suspension but the Applicant rushed to the Tribunal challenging suspension order. There is no issue of competency of suspending authority.</p> <p>4. Needles to mention that sufficiency of material before competent authority for suspension of a Government servant normally cannot be subject matter of scrutiny before the Tribunal since it exclusively falls</p>

P.T.O.

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

Tribunal's orders

within the domain of executive. That apart, in present case admittedly there is registration of offence under the Prevention of Corruption Act, 1988 against the Applicant which attract Section 4(1) of M.C.S. (D & A) Rules, 1979 which *inter-alia* empowers competent authority to suspend a Government servant where criminal offence is under investigation or enquiry. It being so, it cannot be said that there was no material to suspend the Applicant.

5. At this juncture, learned Advocate for the Applicant submits that he is not pressing for relief of 9 a) of O.A. about setting aside of suspension order dated 19.11.2022 and at this stage and he is restricting his O.A. only to the extent of prayer Clause 9 b) about the change of Headquarter. Indeed, O.A. to challenge suspension order at this stage is premature.

6. Insofar as relief claim in prayer Clause 9 b) is concerned the grievance raised by the Applicant about the change of Headquarter is quite justified. While suspending the Applicant the Headquarter is kept at Swantantrapur Open Vasahat, Tal. Atpadi, Dist. Sangli. Whereas, at the time of suspension he was Head Constable at Yerwada Jail, Dist. Pune. In terms of circular dated 19.03.2008 Headquarter should be last place of duty but in present case Respondents had changed Headquarter which is totally in contravention of circular. Learned P.O. also fairly concedes this position that Headquarter should be the last place of duty.

7. In view of above, Respondents is directed to change the Headquarter of the Applicant and it be kept at last place of duty. Necessary order to that effect be issued within a week.

8. In view of above, O.A. is disposed of with no order as to costs.

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: 15.12.2022</p> <p align="center">M.A. No.685 of 2022 in O.A. No.959 of 2022 & O.A. No.962 of 2022</p> <p>M.R. Jadhav & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Applicants are retired Government servant and having filed O.A. No.959/2022 & 962/2022 for grant of retiral benefits which were withheld because of the pendency of D.E. and criminal prosecution. Both the O.As were disposed of at the stage of admission by order dated 10.11.2022 giving some directions.</p> <p>3. Now this M.A. is filed to recall the order dated 10.11.2022 and for deciding O.A. on merit. The main grievance raised in O.A. pertains to withholding of Gratuity. While disposing of O.A. Tribunal observed that the claim of Gratuity is premature since admittedly criminal prosecution is pending.</p> <p>4. Shri A.V. Banidwadekar, learned Advocate for the Applicant has pointed out that in O.A. the Applicants have raised specific pleading that criminal prosecution was filed after retirement, and therefore Gratuity would not have been withheld. Now, he urged the Tribunal to decide the claim of entitlement of the Applicant for Gratuity without waiting for the decision of criminal case.</p> <p align="right">[PTO.]</p>

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

Tribunal's orders

5. I have gone through O.A. and found that criminal prosecution has been filed after the date of retirement of the Applicants. They retired in 2008 and 2012 respectively but the criminal prosecution was filed subsequently and still pending. According to the learned Advocate for the Applicant there is no certainty and finality to the criminal case, and therefore urged to decide the entitlement of the Applicant to Gratuity in terms of law. He has further pointed out that on the date of retirement there is no criminal prosecution pending as such, and therefore Gratuity could not have been withheld. This aspects needs to be decided on its own merit.

6. In view of above, it would be appropriate to decide O.A. on its own merit after taking on record Affidavit-in-Reply of Respondents.

7. For the aforesaid reasons order of 10.11.2022 to the extent of O.A. No.959/2022 and 962/2022 is recalled. These two O.As will be heard on merit.

8. S.O. to 04.01.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p>O.A. No.1246 of 2022</p> <p>P.S. KaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. This O.A. was taken up yesterday for admission and consideration of Interim relief but on request of learned P.O. adjourned for today. 3. The Applicant has challenged transfer order dated 09.12.2022 issued by Respondent No.2 – The Director General of Police, State of Maharashtra <i>inter-alia</i> contending that it is in contravention of Maharashtra Police Act and had prayed for interim relief. 4. Today, learned C.P.O. on instruction makes a statement that Respondent No.2 intends to withdraw the transfer order dated 09.12.2022 today itself. Her statement is not opposed by learned Advocate for the applicant and he submits to dispose of O.A. 5. In view of above, O.A. is disposed of with no order as to costs. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1262 of 2022</p> <p>N.C. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged transfer order dated 09.12.2022.</p> <p>3. When the matter is taken up for admission, learned C.P.O. submits that Respondent No.2 intends to withdraw Transfer order. She submits that necessary orders will be issued today itself.</p> <p>4. In view of above, learned Advocate for the Applicant submits that O.A. be disposed of.</p> <p>5. For the aforesaid reason O.A. is disposed of with no order as costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">M.A. No.721 of 2022 in O.A. No.1250 of 2022</p> <p>D.S. Kasar & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 15.12.2022

O.A. No.1247 of 2022

S.R. ShaikhApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. The Applicant has challenged order dated 29.10.2022 as well as 12.05.2022 whereby penal charges for retention of service quarter is sought to be recovered.
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 12.01.2023.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within 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 12.01.2023.

Sd/-
(A.P. Kurhekar)
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">R.A. No.14 of 2022 in O.A. No.221 of 2020</p> <p>S.V. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri L.K. Kalel, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Reply to R.A.</p> <p>3. S.O. to 05.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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>Date: 15.12.2022</p> <p align="center">M.A. No.450 of 2022 in R.A. No.14 of 2022 in O.A. No.221 of 2020</p> <p>S.V. MoreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri L.K. Kalel, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to condone delay of 65 days caused in filing R.A.14/2022 in respect of the order passed by the Tribunal on 26.04.2022 in O.A No.221/2020 thereby dismissing the claim for compassionate amount.</p> <p>3. Notice of M.A. was issued on 15.09.2022 but till date no Reply is filed.</p> <p>4. Since delay is of 65 days, I am inclined to condone delay so as to decide R.A. on merit.</p> <p>5. Accordingly M.A. No.450/2022 is allowed with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">R.A. No.21 of 2022 in O.A. No.154 of 2022</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus T.R. Jadhav (Org. Appl.)Resps.</p> <p>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Applicants (Org. Respondents) and Shri M.F. Wasif, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. Today learned Advocate for the Applicant has filed Reply to R.A. It is taken on record.</p> <p>3. R.A. be kept for hearing.</p> <p>4. S.O. to 06.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">M.A. No.596 of 2022 in R.A. No.21 of 2022 in O.A. No.154 of 2022</p> <p>The State of Maharashtra & Ors. (Org. Resps.)....Appl. Versus T.R. Jadhav (Org. Appl.)Resps.</p> <p>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Applicants (Org. Respondents) and Shri M.F. Wasif, learned Advocate for the Respondent (Org. Applicant).</p> <p>2. This M.A. is filed to condone delay of 25 days caused in filing R.A.</p> <p>3. Since delay is of three weeks, I am inclined to condone delay so as to decide R.A. on merit.</p> <p>4. Accordingly, M.A. No.596/2022 is allowed with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p>O.A. No.1220 of 2022</p> <p>V.V. RasalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 01.12.2022 whereby the Government cancelled its earlier order dated 29.11.2022 by which he was transferred and posted as Director of Marketing, Maharashtra State, Pune. Tribunal has granted interim relief by order dated 02.12.2022 having found that no appropriate procedure was followed while passing order dated 01.12.2022.</p> <p>3. Today learned C.P.O. on instruction from Mr. Santosh Khoragade, Deputy Secretary & Mr. Anil Chaudhary, Desk Officer, Co-operation, Marketing and Textile Department makes a statement that Government intends to withdraw order dated 01.12.2022 and necessary order to that effect will be issued today itself. Statement is accepted.</p> <p>4. In view of above, the grievance about the order dated 01.12.2022 does not survives. However, learned Advocate for the Applicant sought to contend that the Applicant is entitle to cost since he is dragged to litigation without their being any case for passing order dated 01.12.2022.</p> <p>5. Since, the Government has withdrawn the impugned order, I am not inclined to impose cost.</p> <p>6. In view of above, O.A. stands disposed of with no order as costs.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1210 of 2022</p> <p>V.G. KarandikarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. one^{short} time is granted to file Affidavit-in-Reply as last chance. <i>h</i></p> <p>3. S.O. to 22.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 14.12.2022</p> <p align="center">✓ O.A. No.746 of 2021</p> <p>S.P. Patil & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. On previous date one week was granted to file counter Affidavit. However, learned P.O. today sought time. 3. O.A. be kept for Final Hearing with liberty to learned P.O. to file counter Affidavit before three days of the next date of hearing with copy to other side so that matter is not adjourned on next date. 4. S.O. to 05.01.2023. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram,
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Date: 15.12.2022

O.A. No.1250 of 2022

D.S. Kasar & Ors.,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 is seeking Inter District Transfer from the establishment of the Commissioner of Police, Mumbai to the establishment of the Superintendent of Police, Nashik (Rural).

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 12.01.2023.

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

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

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

8. In case notice is not collected within **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 12.01.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.26 of 2022 with connected O.As</p> <p>A.K. Pawar & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, Shri A.V. Bandiwadekar & Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, Smt. Archana B.K., Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In all these Original Applications the Applicants are seeking transfer from one establishment to another establishment.</p> <p>3. Today, learned P.O. has tendered short Affidavit on behalf of Respondent No.4 – The Director General of Police, State of Maharashtra in compliance of the clause 13 of order dated 12.12.2022. It is taken on record.</p> <p>4. In Affidavit it is stated that 546 new recruitee, Police Constable will be available on the establishment of the Commissioner of Police, Mumbai w.e.f. 28.12.2022. This being so, the ground raised by the Commissioner of Police, Mumbai in Affidavit-in-Reply about shortage of manpower may not survive.</p> <p>5. However, availability of enough strength with the Commissioner of Police, Mumbai alone is not enough and the vacancy position with his counterpart namely The Commissioner of Police, Nashik needs to be seen.</p> <p>6. Tribunal by order dated 12.12.2022 had directed the Commissioner of Police, Nashik to submit bifurcation of 13 posts category wise.</p> <p align="right">[P.T.O.]</p>

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	<p>7. Learned P.O. submits that the Affidavit is under preparation and the same will be filed during the course of the day.</p> <p>8. In addition to above, the Commissioner of Police, Nashik should also clarify actual vacancy position category wise after considering availability of new recruitee which he will get w.e.f. 28.12.2022 so that there should be clear vacancy position before the Tribunal while passing final order.</p> <p>9. S.O. to 19.12.2022.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p align="center">Date: 15.12.2022</p> <p align="center">O.A. No.1242 of 2022</p> <p>D.J. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 05.03.2020 issued by Respondent No.2 – The Additional Commissioner for Tribal Development, Thane whereby the Applicant was suspended in contemplation of D.E. invoking Rule 4(1) of M.C.S. (Discipline and Appeal) Rules, 1979. The perusal of record reveals that subsequently D.E. was also initiated on 03.03.2021 under Rule 8 of M.C.S. (D & A) Rules, 1979. The charges are of serious nature of outraging modesty of girls.</p> <p>3. Learned Advocate for the Applicant submits that enquiry officer had already submitted his report on 05.01.2022 to the disciplinary authority holding guilty for the charges framed against his client.</p> <p>4. It is really surprising that even if enquiry officer has submitted report on 05.01.2022 and the period of more than 11 months is over till date, Disciplinary authority has not taken further action in D.E. and simply sitting over the matter though it pertains to serious charges. This is totally unacceptable and shows inaction and lapses on the part of Respondent No.2 – The Additional Commissioner for Tribal Development, Thane.</p> <p align="right">[P.T.O.]</p>

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5. Indeed, since the Applicant has been suspended for contemplation of D.E. only, suspension should not exceed 90 days as held by Hon'ble Supreme Court in *(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.)*. In present matter D.E. itself is initiated after about one year from the date of suspension and despite positive report by enquiry officer no further orders are passed which were supposed to be passed by disciplinary authority expeditiously.

6. In view of above, Respondent No.2 – The Additional Commissioner for Tribal Development, Thane is directed to file Affidavit as to why he is sitting over the matter and why no further action is taken in D.E. in accordance to law.

7. Affidavit be filed on Monday.

8. I/C. Registrar is directed to forward the copy of the order to the Secretary, Tribunal Development, Mantralaya, Mumbai for information and necessary action.

9. S.O. to 19.12.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

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	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1184 of 2019</p> <p>D.J. SonawaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.A. Parab, learned Advocate holding for Shri P.S. Pathak, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant sought short time to file counter Affidavit.</p> <p>3. S.O. to 06.01.2023.</p> <p align="right">  Sd/- (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

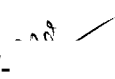
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	<p>Date: 15.12.2022</p> <p>O.A. No.857 of 2021</p> <p>L.P. Gaikwad & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. P.S. Jadhav, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant one week time is granted to file Rejoinder.</p> <p>3. S.O. to 15.12.2022.</p> <p style="text-align: right;">Sd/- </p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 15.12.2022</p> <p align="center">O.A.No.766 of 2022</p> <p>A. B. NimbalkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. The matter is proceeded without reply since Respondents failed to file the same within time granted by the Tribunal. 3. Today, learned P.O. sought permission to file the reply on behalf of the Respondent No.2. 4. In the interest of justice, allowed to file the same. It is taken on record. 5. O.A. be kept for hearing at the stage of admission. 6. S.O. to 04.01.2023. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 15.12.2022</p> <p align="center">O.A.No.635 of 2022</p> <p>M. B. MahajanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent No.5 to Rejoinder made by the Applicant. It is taken on record.</p> <p>3. Since pleading is complete, the O.A. be kept for final hearing.</p> <p>4. S.O. to 09.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 15.12.2022</p> <p align="center">O.A.No.418 of 2022</p> <p>V. R. Mirajkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has tendered composite affidavit in reply on behalf of the Respondent Nos.1 to 3. It is taken on record.</p> <p>3. Two weeks time is granted to file rejoinder.</p> <p>4. S.O. to 02.01.2023.</p> <p align="right">Sd/- v.v. (A.P. Kurhekar) Member(J)</p> <p>vsm</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>Date : 15.12.2022</p> <p align="center">M. A. No.728 of 2022 in O.A.No.841 of 2022</p> <p>The Superintendent of Police, KolhapurApplicant (Ori. Respondent)</p> <p>Versus</p> <p>Shri M.S. S. Mulla ...Respondent (Ori. Applicant)</p> <p>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicant (Ori. Respondent) and Shri A. V. Bandiwadekar, learned Counsel for the Respondent (Ori. Applicant).</p> <p>2. This M.A. is filed for permission to file affidavit in reply in O.A. Since the O.A. is already proceeded without reply due to failure of Respondent to file the reply within time. The matter pertains to suspension period.</p> <p>3. In the interest of justice, allowed to file the reply. It be taken on record.</p> <p>4. M.A.No.728/2022 is accordingly disposed of with no order as to costs.</p> <p>5. O.A.841/2022 is adjourned to 04.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

O.A. No.1218 of 2022

A.R. Bhapkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 12.1.2023. The respondents are directed to file reply.

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

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 **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

Sd/-

(Medha Gadgil)
Member (A)
15.12.2022

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
15.12.2022

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

Tribunal's orders

O.A. No.1217 of 2022

A.R. Bhapkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant seeks interim relief by way of staying the impugned order dated 22.10.2022 by which the charge sheet is served on him. He submits that impugned order dated 22.10.2022 is served on the applicant on 10.11.2022 and no opportunity was given to file reply to the charge sheet and straightway order dated 7.11.2022 was passed appointing Enquiry Officer. He submits that the charges leveled against the applicant have taken place 3 years prior to date of issuance of charge sheet. FIR was registered against the applicant on 29.9.2019. He submits that applicant is going to be promoted and in order to stall his promotion charge sheet is issued against the applicant. Till today no charge in the criminal case is filed and if at all the defence of the applicant is disclosed then prejudice will be caused to the applicant in the criminal case. He submits that charge no.4 is false because no complaints were received against him and nothing is provided to the applicant and there is no preliminary enquiry against the applicant so far as charge no.4 is concerned. Therefore, order dated 22.10.1022 is to be stayed as there is no specific reference directing him to file reply. He further submits that respondents should withdraw the charge sheet otherwise no principles of natural justice will be followed as they have already appointed enquiry officer. Hence, he seeks interim relief.

3. Ld. PO submits that charges in the criminal case and the charges in the DE are different. Ld. PO submits that she needs instructions on this point as to why time for filing reply is not mentioned and why it is not given. Ld. PO seeks time.

4. S.O. to 16.12.2022 at 10.30 a.m.

Sd/-

(Medha Gadgil)
Member (A)
15.12.2022

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
15.12.2022

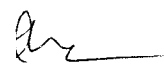
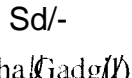
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1169 of 2022</u></p> <p>K.V. Devkate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.V. Shinde, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The committee headed by Dr. Saranikar, Assistant Director, Health Services, Malaria, Pune is directed to hold the meeting on or before 21.12.2022 and verify whether the applicant has the necessary experience of 90 days and send the report to the District Malaria Officer, Thane.</p> <p>3. S.O. to 22.12.2022.</p> <p align="center">Sd/-  Sd/-  (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 15.12.2022 15.12.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 15.12.2022

**O.A.No.361 of 2022 with O.A.No.362 of 2022
with
O.A.No.505 of 2022 with O.A.No.506 of 2022
with
O.A.No.108 of 2020 with O.A.No.109 of 2020
with
O.A.No.468 of 2020 with O.A.No.469 of 2020
with
O.A.No.569 of 2022 with O.A.No.570 of 2022**

L.K. Shinde & Ors.Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

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

2. Adjourned to 13.01.2023. H.O.B. Interim relief to be continued till next date.

Sd/-

Sd/-

(Medha Gadgil)
Member(A)

(Mridula Bhatkar, J.)
Chairperson

pk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.49 of 2022 in O.A. No.992 of 2019</u></p> <p>Dr. P.N. Chaudhari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Time is granted to complete the formalities on the part of the applicant.</p> <p>3. S.O. to 12.1.2023.</p> <p align="center">Sd/- (Medha Gadgi) Member (A) 15.12.2022</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 15.12.2022</p> <p>(sgi)</p>

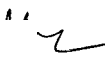
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>C.A. No.16 of 2022 in O.A. No.223 of 2020</u></p> <p>D.N. Kamble & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that DCRG has been paid to the applicant and pension papers have been submitted to the Treasury Office on 7.12.2022.</p> <p>3. S.O. to 12.1.2023.</p> <p align="center"> Sd/- Sd/-  (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 15.12.2022 15.12.2022 </p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1259 of 2022</u></p> <p>G.R. Shelar & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 21.12.2022. The respondents are directed to file reply. Be shown under the caption of '<u>Urgent Admission</u>'.</p> <p>4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 15.12.2022</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 15.12.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>15.12.2022</u></p> <p><u>O.A 1074/2022</u></p> <p>M.P Satpute ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri O.M Lonkar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit with liberty to file rejoinder if any.</p> <p>3. Place for final hearing on 2.2.2023.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>15.12.2022</u></p> <p align="center"><u>O.A 1052/2022</u></p> <p>S.H Bobde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. At the request of learned counsel for the applicant, adjourned to 19.1.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>15.12.2022</u></p> <p align="center"><u>O.A 903/2022</u></p> <p>R.J Shaikh ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Ganesh Masurkar holding for Shri C.T Chandratre, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Admit with liberty to file rejoinder if any.</p> <p>3. Place for final hearing on 9.2.2023.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>15.12.2022</u></p> <p align="center"><u>O.A 803/2022</u></p> <p>Rajya Sahakari Group-D Class-VI ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri A.A Desai with A.S Raktade, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. This matter is taken today by production, though the matter is fixed tomorrow.</p> <p>3. Learned counsel for the applicants prays that by way of interim relief the operation of the G.R dated 7.4.2022 be stayed qua the applicants, who are seven in number, who constitute Rajya Sahakari Group-D, Class-IV Employees Madhyavarti Mahasangh, Kolhapur.</p> <p>4. Learned C.P.O states that affidavit in reply is filed on 18.11.2022.</p> <p>5. Learned counsel for the applicants submit that the applicants are directed to give choice for their posting and they will be shifted and transferred to various places, if the implementation of the G.R dated 7.4.2022 is not stayed qua the applicants.</p> <p>6. At this stage, the request of the learned counsel for the applicants of staying the G.R dated 7.4.2022, qua the applicants cannot be entertained. Unless we go into the legality or illegality of the G.R in depth, we will not be able to consider the prayer for grant of interim relief at this stage.</p> <p>7. Learned counsel for the applicants submits that the prayer for grant of interim relief be kept open as he wants to go through the affidavit in reply and if required will file a rejoinder.</p> <p>8. S.O to 19.1.2022.</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">Sd/-</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 15.12.2022
	<p style="text-align: center;">O.A.No.775/2022 with M.A.No.676/2022 With O.A.No.776/2022 with M.A.No.674/2022 With O.A.No.777/2022 with M.A.No.678/2022 With O.A.No.778/2022 with M.A.No.672/2022 With O.A.No.779/2022 with M.A.No.673/2022 With O.A.No.790/2022 with O.A.No.791/2022 With O.A.No.793/2022 with M.A.No.675/2022 With O.A.No.796/2022 with M.A.No.677/2022 With O.A.No.830/2022</p> <p>V.R. Sarole & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Akash Reddy, learned Advocate i/b Mr. Talekar, learned Counsel for the Applicants in O.A.No.775/2022, O.A.No.776/2022, O.A.No.777/2022, O.A.No.778/2022, O.A.No.779/2022, O.A.No.793/2022 & O.A.No.796/2022, Mr. P. Avhad along with Ms. D. Naval, learned Advocate for the Applicants in O.A.No.790/2022 & O.A.No.791/2022, Ms. Purva Pradhan, learned Advocate holding for Mr. D.B. Khaire, learned Advocate for the Applicant in O.A.No.830/2022, Ms. Amrita Chaware, learned Advocate for Respondent No.4 in O.A.No.777/2022 & O.A.No.793/2022, Mr. S.S. Dere, learned Advocate for the Respondent No.4 in O.A.No.778/2022 & O.A.No.779/2022, Mr. Bhushan A. Bandiwadkar, learned Advocate for the Respondent No.3 & 4 in O.A.No.775/2022 & O.A.No.776/2022 respec. and for Respondents No.4 & 9 in O.A.No.790/2022, and for Respondents No.4 & 5 in O.A.No.791/2022 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that Government has collected the data of 54 candidates who have applied at more than one place, of which data of 15</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>candidates is yet to be procured. Hence, she seeks time to enable the Respondent/ Government to get the details and file affidavit in reply of 54 candidates in order to find out whether any deliberate mischief is committed by the candidates who have applied at more than one place. Candidates who have applied for more than two places were asked to file photocopy of their original application forms. The same may be taken on record and copies be served upon all the concern.</p> <p>3. Learned Advocate Mr. Bandiwadekar submits that his clients are unable to get the original application forms as the link is closed. We direct Mr. Bandiwadekar to file it by tomorrow.</p> <p>4. Learned Advocate Ms. Pradhan submits that in O.A.No.830/2022 out of 5 Respondents, the addresses of 3 Respondents are not available and the other 2 Respondents are not accepting the copy served upon them.</p> <p>5. Matter shall appear tomorrow i.e. on 16.12.2022 for the purpose of filing information. Copies to be served to the other sides. Adjourned to 19.12.2022 at 2.30 for hearing.</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>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1236 of 2022</u></p> <p>R.A. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant seeks leave to add order dated 6.12.2022 passed by respondent no.1 holding that appeal is not maintainable, after the OA is filed and grounds and prayers to that effect.</p> <p>3. Leave granted. Amendment be carried out and amended copy be served in the office of Ld. CPO and all other respondents.</p> <p>4. Applicant challenges order dated 20.1.2022 passed by respondent no.2 discharging him from service. By way of interim relief he prays that order may be stayed and applicant be continued in service.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 12.1.2023. The respondents are directed to file reply.</p> <p>7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

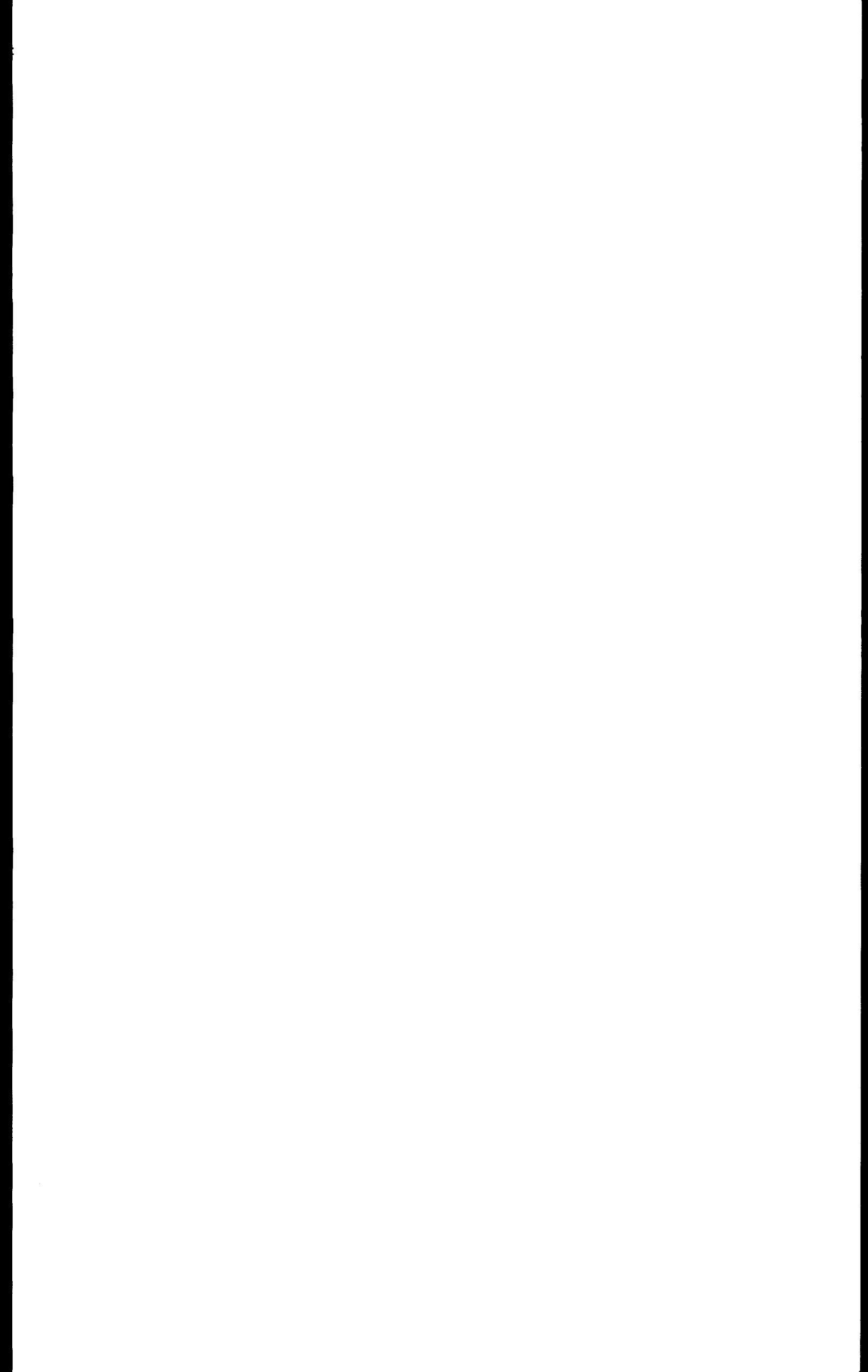
The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 15.12.2022
	<p>O.A.No.701/2022 with M.A.No.715/2022 with O.A.No.813/2022 with O.A.No.442/2022 with O.A.No.443/2022 with O.A.No.444/2022 with O.A.No.815/2022 with O.A.No.794/2022</p> <p>S.A. Karne & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. V.S. Kadam, learned Advocate for the Applicants in O.A.No.701/2022, 815/2022 & 794/2022 and holding for Mr. P.S. Anerao, learned Advocate for the Applicants in O.A.No.443/2022 & 444/2022, Mr. L.S. Deshmukh, learned Advocate for the Applicants in M.A.No.715/2022, O.A.No.813/2022 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A.No.715/2022 is filed seeking intervention in O.A.No.701/2022. Learned Advocate Mr. Deshmukh submits that these 6 applicants are wait listed candidates who are first 5 candidates in wait list. If the present O.A. is allowed and applicants are allowed to join service, then present applicants in M.A.No.715/2022 are going to be adversely affected and therefore they are interested, necessary and proper party.</p> <p>3. Learned Advocate Mr. Kadam relies on the judgment of Hon'ble High Court dated 13.07.2022 passed in Writ Petition No.2166/2021 with Interim Application No.2900/2022. He submits that by this order one of the candidates from wait list who has tried to file intervention application in W.P.No.2166/2021 was directed to file substantive petition and therefore intervention application in M.A.No.715/2022 is not to be allowed. He further submits that Applicants in M.A.No.715/2022, Applicant No.1 Ms.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>T.G. Warke is placed at serial no.4 in the wait list and Applicant No.2, Ms. A.A. Kshirsagar is placed at serial No.3 in the wait list. He further submits that learned Advocate Mr. Deshmukh has filed O.A.No.813/2022 seeking similar relief.</p> <p>4. Learned C.P.O. submits to the orders of the Tribunal.</p> <p>5. In view of the relief claimed in O.A. and M.A. it appears that the applicants in M.A. will be adversely affected if the O.A. is allowed and therefore being interested and necessary party to avoid multiplicity and complexity of the similar litigation and as it is pointed out by learned Advocate Mr. Deshmukh the same is also inter related the original applicants are directed to add applicants in M.A. as private respondents in O.A.</p> <p>6. Learned Advocate Mr. Deshmukh submits that he does not want to file reply or take further time to file reply as the matter is partly heard.</p> <p>7. Learned C.P.O. informs that in O.A.No.443 /2022 and O.A.No.444/2022, Applicants Mr. A.Y. Gaikwad and Mr. P.M. Warale are given appointments and therefore these two matters have become infructuous. Learned C.P.O. produces copy of the said orders.</p> <p>8. Learned Advocate Mr. Kadam submits that he has been instructed by learned Advocate Mr. Anerao that the applicants have received the orders and hence matters can be disposed of.</p> <p>9. In view of the above, O.A.No.443/2022 and O.A.No.444/2022 stands disposed of.</p> <p>10. Adjourned to 16.12.2022.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">/</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1146 of 2022</p> <p>R.G. MamooApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.1. It is taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 22.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1132 of 2022</p> <p>S.K. SonawaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 05.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1136 of 2022 with O.A. No.1137 of 2022</p> <p>Dr. A.A. Upadhyay Dr. P.A. MeshramApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, learned Advocate holding for Shri V.P. Potbhare, learned Advocate for the Applicant, Smt. Anita Kolpekar, learned Advocate holding for Shri A.S. Gaikwad, learned Advocate for the Respondent No.4 in O.A. No.1136/22 & No.5 in O.A. No. 1137/2022 and. Shri A.J. Chougule, learned Presenting Officer for the Respondents</p> <p>2. On request of learned Respondents two weeks time is granted to file Affidavit-in-Reply.</p> <p>3. S.O. to 06.01.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1180 of 2022</p> <p>Dr. A.M. ZendeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Tribunal by order dated 24.11.2022 directed Respondent No.1 to consider the representation dated 11.10.2022 by today and to apprise the Tribunal about the decision. 3. Learned P.O. on instruction submits that file is under process and decision will be taken soon. 4. One week time is granted to take decision on the representation dated 11.10.2022. 5. S.O. to 22.12.2022. <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: 15.12.2022</p> <p>O.A. No.1209 of 2022</p> <p>J.V. LilkeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that Affidavit-in-Reply is under preparation and the same will filed on Monday.</p> <p>3. S.O. to 19.12.2022.</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

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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
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Date: 15.12.2022

O.A. No.1065 of 2022

N.R. DodakeApplicant
 Versus
 The State of Maharashtra & Ors.Respondents.

1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance.
3. S.O. to 04.01.2023.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**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: 15.12.2022</p> <p>O.A. No.1071 of 2022</p> <p>V.S. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, 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 05.01.2023.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 15.12.2022</p> <p align="center">O.A. No.1243 of 2022</p> <p>U.H. BhosaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged suspension order dated 10.03.2021 whereby he is placed under suspension invoking Rule 4(2) of M.C.S. Rules, 1979 by way of Deemed suspension in view of his detention in Police custody for more than 48 hours.</p> <p>3. The Applicant is subject to prolong suspension.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 12.01.2023.</p> <p>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.</p> <p>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.</p> <p>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. [P.T.O.]</p>

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

Tribunal's orders

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 12.01.2023.

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Sd/-

(A.P. Kurhekar)
Member (J)

NMN