

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

Tribunal's orders

Date: 17.02.2021

O.A. No.108 of 2021

D.S. GavitApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant is already retired on 28.02.2019.

3. The learned Advocate for the Applicant submits that under Rule 27 of M.C.S. (Pension) Rules, 1982 though the Government has power to withheld or withdraw a pension, it is only at the time of institution of enquiry or registration of offence against the Government servant who has retired. In the present case it is not done and therefore, it is illegal.

4. Today, the learned P.O. files a letter written by Reader Deputy Superintendent, Nasik Division, Anti Corruption Bureau, Mumbai written to the Director General, Anti Corruption Bureau, Mumbai dated 17.02.2021 that the Anti Corruption Bureau has initiated the enquiry against the Applicant on receipt of Application on 15.09.2012 and after obtaining the permission from the Government i.e. Home Department on 05.07.2014 the Anti Corruption has initiated the enquiry. However, the Applicant has not co-operated the Bureau and therefore the Anti Corruption Bureau could not arrive at conclusion in receipt of registration of offence against the present Applicant.

5. The learned P.O. to file Affidavit-in-Reply in three weeks.

6. S.O. to 10.03.2021.

M. R. Bhatkar
Sd/-

(Mridula R. Bhatkar, J.)
Chairperson

**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
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17.02.2021

O.A 120/2019

Shri B.M Yadav ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.
2. Applicant to continue to work as Deputy Commissioner, Police Wireless, Mumbai, subject to outcome of the Original Application.
3. S.O to 18.2.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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17.02.2021

O.A 39/2014

Ms Nilawati K.S ale & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.G. Sawardekar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned counsel for the applicant states that reply is not filed to the amended O.A.

3. Learned P.O seeks time to file reply to the amended O.A.

4. It is made clear that, if reply is not filed to the amended O.A before the next date, as the matter is old, the parties to proceed with the argument.

5. S.O to 10.3.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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17.02.2021

O.A 874/2019

Shri R.B Shaikh ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M Kolge, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned P.O files affidavit in reply of Shri Sunil Bharati Patil, Assistant Commissioner in the office of the Commissioner of Railway Police, Mumbai, Respondent no.2. The same is taken on record.

3. S.O to 5.3.2021.

Sd/-

(P.N Dixit)
Vice-Chairman (A)

Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

O.As. No.774 of 2013 & 621 of 2015

S.B. Koravi ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri V.B. Joshi, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant produces copy of application dated 3.7.2015 which the applicant has made for seeking information under the Right to Information Act, 2005. He also produces the information supplied to him on 11.8.2015.

3. Ld. Advocate for the applicant submits that applicant wanted to appear for the departmental examination in the year 2003 for promotion to the post of Police Sub Inspector wherein 25% posts are to be filled in by Departmental Promotion, 25% by accelerated promotion conducted by MPSC and 50% by nomination i.e. direct recruitment.

4. Ld. Advocate for the applicant submits that as per the information received under the RTI, till 2009, 12 Wireless Operators were promoted to the post of PSI and after 2009, 17 Wireless Operators are promoted to the post of PSI. He points out the name of Mr. Prakash Pawar, whose name is appearing in the list of appointment at Sr. No.45 of the year 2001 and Mr. Prashant Mohite. These two Police Personnel are posted as PSI.

5. After hearing Ld. Advocate for the applicant we made a query whether these promotions of 12 and 17 Police Personnel has taken place in the Wireless Department or it is outside the Wireless Department in the Executive Section i.e. Regular PSI and whether these persons appeared for the Departmental Examination and were promoted as is the case of the applicant.

6. Ld. CPO to obtain instructions on these points.

7. S.O. to 1.3.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman
17.2.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
17.2.2021

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

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17.02.2021

O.A 339/2018 with O.A 810/2018

Smt U.B Jarande [O.A 339/2018]
Shri Tanaji L. Savane [O.A 81/2018]... Applicants
Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar & Shri M.D Lonkar, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Both the Original Applications to be de-tagged.

3. S.O to 4.3.2021.

Sd/-

**(P.N Dixit)
Vice-Chairman (A)**

Akn

Sd/-

**(Mridula Bhatkar, J.)
Chairperson**

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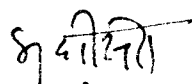
Tribunal's orders

O.A. No.128 of 2021

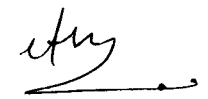
U.M. Vhatkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., 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 8.3.2021.
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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would 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. The service may be done by hand delivery/ speed post/courier 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.N. Vice-C
17.2.2021

Sd/-


Sd/-
Mridula R. Bhatkar, J.)
Chairperson
17.2.2021

(sgj)

**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

C.A. No.2 of 2021 in O.A. No.955 of 2019

Dr. S.S. Rajderkar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri Gaurav Sharma, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. CPO informs that all earlier orders issued by the Dean, Government Medical College, Miraj-Respondent No.2 giving the applicant additional charge of Dean, Government Medical College, Osmanabad on deputation are cancelled.

3. Ld. CPO produces fresh order dated 16.2.2021 issued by the Director of Medical Education and Research, Mumbai-Respondent No.3 giving the applicant additional charge of Dean, Government Medical College, Osmanabad.

4. By the said order dated 16.2.2021 the Respondent No.3 has also cancelled the earlier order dated 15.2.2021 issued by Respondent No.2.

5. The said order dated 16.2.2021 is taken on record and marked as Exhibit '1' for identification.

6. In view of the above, the CA is disposed off.

Sd/-

(P.N. Dixit)
Vice-Chairman
17.2.2021

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
17.2.2021

(sgj)

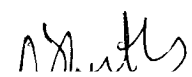
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p><u>17.02.2021</u></p> <p align="center"><u>O.A 137/2021</u></p> <p>Ms V.Y Jamdade ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. The applicant, Clerk, working in Armed Police Division at Naigaon, prays for direction to the Respondent, Commissioner of Police to consider her case for change of allotment of residential quarter in Mahim or nearby area. Learned counsel submits that the service quarter at present where she is residing is in dilapidated condition and is declared as dangerous for habitation and she is asked to vacate the said quarter by end of 31st March, 2021. It is also to be considered that the applicant is a widow and shouldering responsibility of two children, one is staying at Satara, and one who is school going stays with her at Mahim.</p> <p>3. Learned counsel further submits that she is ready to accept the service quarters which is refused by other Police Personnel's who were allotted service quarters in Mahim or Bandra area. Her case is to be considered out of turn as she is occupying service quarter in a dilapidated condition.</p> <p>4. Learned P.O is directed to take instructions from the concerned authority and especially in view of her representation dated 15.12.2020.</p> <p>5. S.O to 26.2.2021.</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>