

**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">Date: 17.10.2023</p> <p align="center">O.A. No.596 of 2023</p> <p>A.S. GaikwadApplicant 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. Learned Advocate for the Applicant continued with Final Hearing (Part Heard) and presented further arguments on points related to merit of the case and in respect of implementation of guidelines for transfer to 'Deputation Posts' in G.A.D. G.R. dated 17.12.2016 and 16.02.2018. He also furnished the copy of 'Minutes of Meeting of C.S.B.' held on 10.04.2023 to substantiate the case of the Applicant and stated that she was recommended to be continued on the post of 'Deputy Collector (Land Acquisition No.-II), Solapur District' for one more year by both 'District Collector, Solapur' and the 'Divisional Commissioner, Pune.' However, copies of the File Noting and the 'Minutes of Meeting of C.S.B.' held on 10.04.2023 which were necessary to attach as 'Annexure' to the Affidavit-in-reply filed on 05.09.2023 being not available, it is not known for what Specific Reasons the recommendation of C.S.B. made in Meeting held on 10.04.2023 was not accepted by the 'Competent Authority' in respect of Applicant and she came to be posted on the post of 'Deputy Collector (Land Acquisition), Tapi Irrigation Development Corporation, Jalgaon'.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>3. Learned P.O. therefore states that in the meanwhile Applicant also has been served with the Suspension Order on 12.09.2023 for not having joined the post of Deputy Collector (Land Acquisition), Tapi Irrigation Development Corporation, Jalgaon although she did report on 12.09.2023.</p> <p>4. Learned P.O. during the course of Final Hearing (Part Heard) states on instruction from officer present on behalf of A.C.S. (Revenue) Revenue & Forest Department that the Applicant had made representation wherein she has submitted that her request for transfer to any neighboring/adjacent districts of Kolhapur, Sangli, Pune & Dharashiv be considered. However, now they are willing to consider her request, she can be posted on 'Vacant Post' of Resident Deputy Collector (RDC) in Dharashiv District. The Additional Chief Secretary (Revenue), Revenue & Forest Department on the basis of the statement made by the learned PO on instructions today may therefore consider revoking the 'Suspension Orders' dated 12.09.2023 of the Applicant and thereupon consider her request to transfer her on any Post in the neighboring / adjacent districts of Kolhapur, Sangli, Pune & Dharashiv including on the available ' Vacant Posts' of Resident Deputy Collector (RDC), Dharashiv. Thus, appropriate decision with regard to both revocation of Suspension Order dated 12.09.2023 and modification of Transfer Order dated 13.04.2023 of the Applicant be taken within Three Weeks.</p> <p>4. S.O. to 07.11.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</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: 17.10.2023</p> <p style="text-align: center;">O.A. No.235 of 2023</p> <p>N.B. BagulApplicant 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 Shri A.J. Chougule, learned Presenting Officer for the Respondents. Shri A.A. Gharte, learned Advocate for the Respondent No.2 is absent. 2. Learned Advocate for the Applicant states that by way of 'Interim Relief' granted to 28.02.2023 the Applicant was allowed to continue on the post of Chief Officer, Municipal Council, Satana, District Nashik. 'Interim Relief' has been continued till the date of 'Final Hearing'. 3. Learned Advocate for the Applicant during the course of Final Hearing submits the copy of the Transfer Order issued by Urban Development Department dated 05.09.2023 whereby Respondent No.2 has been appointed as Chief Officer, Municipal Council, Junnar, District Pune. It is taken on record. 4. Learned Advocate for the Applicant therefore states that no purpose will be served to proceeding with 'Final Hearing' as it can be inferred that Applicant has been allowed to continue on the post of 'Chief Officer, Municipal Council, Satana, District Nashik' as per order of 'Interim Relief' granted on 28.02.2022. 5. The Applicant has continued to work on the post of Chief Officer, Satana, Municipal Corporation, Nashik since grant of 'Interim Relief' on 28.02.2023 and thus formal orders be issued by the Urban Development Department within period of Two Weeks as the Respondent No.2 has been appointed as Chief Officer, Municipal Council, Junnar, District Pune. 6. Learned Advocate for the Applicant states that as nothing survives in this O.A.No.235 of 2023 it be disposed off. Thus, O.A.No.235 of 2023 is disposed off with 'No Order as to Costs'. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 17.10.2023</p> <p align="center">M.A. No.626 of 2023 in O.A. No.1190 of 2023</p> <p>The Maharashtra Agro. Ind. Dev. Corp., Ltd. H.O. Through its Mangaing Dir. Krushu Udyog Bhavan.Applicant Versus J. R. DeoreRespondents.</p> <p>1. Heard Shri V.B. Joshi, learned Advocate for the Applicant in M.A. No.626/2023, Smt. Archana B.K., learned Presenting Officer for the Respondents, Shri K.R. Jagdale, learned Advocate for the Applicant in O.A. No.1190/2023.</p> <p>2. Learned Advocate for Respondent No.2 has filed MA No.626/2023 to plead that the O.A.No.1190/2023 is not maintainable on the ground of jurisdiction as 'MAIDC' is a body corporate registered under the 'Company Act, 1956' with its own (i) Memorandum of Association and (ii) Articles of Association by which it is governed and specifically highlighted the provisions of 'MAIDC, Employer Service Rules and Regulations' which deal with all 'Service Conditions' relating to the employees of 'MAIDC.'</p> <p>3. Learned Advocate for 'MAIDC' stated that 'MAIDC, Employer Service Rules and Regulations' are Independent of the all the 'Maharashtra Civil Service Rules' applicable to Government Servants and are not amenable to any 'Policy Guidelines' about 'Service Conditions' of Government Servants which are implemented through GAD and FD -Government Resolutions/ Circulars/ Orders. Therefore, OA No. 626/2023 should be dismissed on grounds of jurisdiction, subject to the provisions of Section 15(1)(b) of Administrative Tribunal Act, 1985.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned P.O. is accordingly informed to file 'Affidavit-in-Reply' of the Agriculture, Animal Husbandry, Fisheries & Dairy Development Department as it is the 'Administrative Department' for 'MAIDC' in respect to M.A.No.626 of 2023 which is regarding maintainability of this O.A.No.1190 of 2023. The M.A. No.626 of 2023 relates to the provision of 'Section 15(1)(b)' of 'Administrative Tribunal Act, 1985'; the applicability of various 'Maharashtra Civil Services Rules' which deal with 'Service Conditions' of Government Servants send on 'Deputation Posts' in 'MAIDC' and applicability of 'MAIDC, Employer Service Rules and Regulations' to such 'Government Servants'. The Agriculture, Animal Husbandry, Fisheries & Dairy Development Department be advised to seek 'Legal Opinion' from the 'Law & Judiciary Department' in this regard which should be incorporated in Affidavit-in-Reply.</p> <p>5. S.O. to 20.11.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chandra barty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 17.10.2023</p> <p align="center">O.A. No.1204 of 2023</p> <p>A.M. Mulla,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Shri A.J. Cougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. filed 'Affidavit-in-Reply' on behalf of Respondent. It is taken on record, wherein the Order about the transfer of the Applicant as A.P.I. from 'A.C.B., Mumbai Unit' to 'A.C.B., Kolhapur Unit' has been issued on 10.10.2023 by the 'Additional SP (HQ-2), A.C.B. Mumbai' in cancellation of the earlier Order dated 29.08.2023 issued by 'Additional SP (HQ-1), A.C.B, Mumbai.'</p> <p>3. Learned Advocate for the Applicant states that she has already decided not to avail of the balance of 'Maternity Leave' of 180 days and will forthwith join the post of A.P.I. at 'A.C.B., Kolhapur Unit.'</p> <p>4. Learned Advocate for the Applicant therefore states that as nothing survives in the O.A. No.1204 of 2023 which may be disposed off. Hence, O.A. No.1204 of 2023 is disposed off with 'No Order as to Costs'.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

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

Tribunal's orders

Date: 17.10.2023

O.A. No.1008 of 2023

G.R. Kale

.....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. Learned Advocate for the Applicant during the course of 'Final Hearing' argues on the points of law and states that the 'Additional D.G.P. – Maharashtra State' in letter of 05.09.2023 addressed to learned C.P.O; has not appreciated basic tenet of law that provisions of 'Act & Rules' cannot be supplanted by 'Government Resolutions or Circulars.'

3. Learned Advocate for the Applicant stressed that the 'Additional D.G.P. – Maharashtra State' has failed to uphold the provisions of 'Rules 55,68 & 69' of Maharashtra S.R.P.F., Rules, 1959 and 'Section 7' of the S.R.P.F. Act, 1951 while taking decision about the Applicant requesting for 'Inter District Transfer' to establishment of 'Commissioner of Police, Thane' and has only emphasized on the implementation of Home Department G.R. dated 12.05.2021 which requires Minimum Service of 12 Years to be completed before Police Personnel can be considered for 'Inter District Transfer' from S.R.P.F. to the establishments of (i) Commissioners of Police and (ii) Superintendents of Police.

4. Learned P.O. in the course of 'Final Hearing' emphatically stated that Respondent Nos.1 to 3 are in receipt of 'Personal Letter' dated 09.10.2023 from the 'Wife' of Applicant wherein she has stated that the Facts; 'Grounds & Relief' stated in this O.A. No.1008 of 2023 have been falsely affirmed by the Applicant. The letter of the 'Wife' of Applicant dated 09.10.2023 is taken on record. Learned P.O. therefore seeks time to file 'Additional Affidavit-in-Reply'. Copy of the 'Additional Affidavit-in-Reply' should be given to the Advocate of the Applicant 3 days prior to the Next Date.

5. The O.A. No.1008/2023 be kept on 'Next Date' for 'Final Hearing (P.H.).'

6. S.O. to 31.10.2023.

Sd/-
(Debashish Chakrabarty)
Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>Date: 17.10.2023</p> <p align="center">O.A. No.1329 of 2023 to O.A. No.1332 of 2023</p> <p>R.P. Jadhav, D.B. Choudhari, B.S. Tachale, V.A. KaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad & Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that the Applicant who is a Talathi has been transferred by 'Memorandum' dated 13.09.2023 & 01.10.2023 by S.D.O, Pune, District Pune, subsequently 'Order' dated 01.01.2023 again by Tahsildar, Shirur, District Pune. The contents of the Memorandum indicate that services of the Applicant have attached to the office of S.D.O, Pune, Pune District and Tahasildar, Shirur, Pune District and therefore do not seem to be 'Transfer Order' issued under the provisions of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'.</p> <p>3. Learned P.O. submits that these are in fact only Memorandum and Orders for the attachment of the services of the Applicants and not 'Transfer Orders' and seeks time to obtain factual information about the contents of the 'Memorandum' dated 13.09.2020 and 01.10.2023 by S.D.O, Pune, District Pune and 'Order' dated 01.10.2023 of Tahasildar, Shirur, District Pune.</p> <p>4. Learned P.O. is directed to obtain information whether these are temporary arrangements with respect of requirement of work in the office of S.D.O.,</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
	<p>Pune, District Pune & Tahsildar, Shirur, District Pune or are these regular Transfer Orders'. Further information may also be obtained whether there are Sanctioned Posts of Talathis in the office of S.D.O, Pune, District Pune and Tahsildar, Shirur, District Pune.</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 26.10.2023.</p> <p>7. 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>8. 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>9. 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>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>11. S.O. to 26.10.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">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: 17.10.2023</p> <p align="center">O.A. No.1224 of 2023</p> <p>P.B. Jagtap,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri M.B. Kadam, learned Advocate for the Respondent No.2.</p> <p>2. Learned Advocate for the Applicant has filed 'Affidavit-in-Reply'on behalf of the Respondent No.2. It is taken on record.</p> <p>3. Learned P.O. states that as per the direction given ^{on} 26.09.2023, appropriate action has been initiated by the 'Principal Secretary, Soil and Water Resources Conservation'.</p> <p>4. Learned P.O. further states that 'Principal Secretary, Soil and Water Resources Conservation' will require Two Weeks time to decide about the withdrawal of Order passed on 21.09.2023. Time as prayed is granted. Accordingly, learned P.O. to file reply on behalf of the 'Principal Secretary, Soil and Water Resources Conservation'.</p> <p>5. S.O. to 31.10.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 17.10.2023</p> <p align="center">O.A. No.1132 of 2023</p> <p>K.N. Khanekar,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri S.B. Gaikwad, learned Advocate for the Applicant has sent his Leave Note.</p> <p>2. Heard Shri M.B. Kadam, learned Advocate holding for Shri S.B. Gaikwad, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>3. Learned P.O. on request is granted One Week time is granted to file 'Affidavit-in-Reply' with regard to the action taken about the proposal submitted by the 'Commissioner Social Welfare Maharashtra State, Pune' on 24.08.2023.</p> <p>4. S.O. to 27.10.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

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	<p align="center">Date: 17.10.2023</p> <p align="center">O.A. No.1145 of 2023</p> <p>V.S. Lambhate,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents, Shri M.D. Lonkar, learned Advocate for the Respondent No.3 and Shri K.R. Jagdale, learned Advocate for the Respondent No.4.</p> <p>2. Learned P.O. states that 'Affidavit-in-Reply' of Respondent No.1 will be filed during the course of the day or by tomorrow. Statement is accepted.</p> <p>3. Learned Advocate for the Respondent No.3 has filed 'Affidavit-in-Reply' on behalf of the Respondent No.3. It is taken on record. Learned Advocate for the Respondent No.3 also seeks leave to amend the name in the 'Affidavit-in-Reply'. 'Leave Granted.'</p> <p>4. Learned Advocate for the Respondent No.4 – also files 'Affidavit-in-Reply'. It is taken on record.</p> <p>5. 'Interim Relief' to continue till Next Date.</p> <p>6. S.O. to 25.10.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 17.10.2023</p> <p align="center">O.A. No.646 of 2023</p> <p>S.R. BhadangeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. states 'Affidavit-in-Sur Rejoinder' will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. S.O. to 20.10.2023.</p> <p align="right">Sd/- _____ (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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

O.A.1241/2023

Dr. Kiran Kuwar ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.S. Dere, Learned Advocate for the Applicant and Shri A.J. Chougule, learned PO for Respondents.

2. The Learned PO submits that the Affidavit-in-reply on behalf of Respondent No.1 dated 13.10.2023 of Mr. Kisanrao B. Palande, Under Secretary is filed today wherein it is stated that the Government has received the Enquiry Report dated 09.10.20213 on 12.10.2023. Hence, Respondent-State wants to serve the said report and give an opportunity for defence to the Applicant and after receiving the defence statement from the Applicant, it will be considered by the Disciplinary Authority for which three months' period is required.

3. The Learned Advocate for the Applicant submits that instead of three months, one month is sufficient. He relies on the G.R. of April, 2008 wherein it is stated that the enquiry is to be completed finally within a period of six months or one year including the extended period. The enquiry is initiated on 20.07.2019.

4. The Learned PO submits that one and half year was consumed in pandemic. That period was upto March, 2022. The Learned PO submits that it is necessary that the matter to be placed for approval of Government i.e. Hon'ble Minister.

5. In view of above, O.A. is disposed off with direction to the Respondents to take decision till 1st January, 2024.

6. No order as to costs.

Sd/-
(Debashish Chakrabarty)
Member-A
17.10.2023

Sd/-
(Mridula Bhatkar, J.)
Chairperson
17.10.2023

(skw)

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

Tribunal's orders

O.A.1323/2023

S.N. Patil

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri L.S. Deshmukh, Learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.
2. The Applicant who is Office Superintendent challenges the order of promotion dated 27.09.2023 to the extent of not granting promotion to the post of Assistant Project Officer.
3. Issue notice returnable on 21.11.2023
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
5. 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. Respondents are put to notice that the case would 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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.
8. 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.
9. S.O. to 21st November, 2023.

Sd/-

(Debashish Chakrabarty)
Member-A
17.10.2023

(skw)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
17.10.2023

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

Tribunal's orders

O.A.1239/2023

B.D. Khobragade & Ors.

... Applicants

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri B.A. Bandiwadekar, Learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned PO for Respondents.

2. The responsible officer from Tribal Development Department is directed to remain present and inform why the process of promotion is not processed since 3 to 4 years.

3. Issue notice returnable on 19.10.2023.

4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

5. 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. Respondents are put to notice that the case would 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. In case notice is not collected within **seven** days or service report on affidavit is not filed **three** days before returnable date, the O.A. shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the O.A. shall stand dismissed.

8. 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.

9. S.O. to 19th October, 2023.

Sd/-

(Debashish Chakrabarty)
Member-A
17.10.2023

Sd/-

(Mridula Bhatkar, J.)
Chairperson
17.10.2023

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>O.A.916/2023</u>
	<p>R.S. Bubane ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, Learned Advocate for the Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. The Learned Advocate for the Applicant submits that the Applicant who is working as Sectional Engineer in Water Resources Department seeks promotion to the post of Sub-Divisional Officer. He submits that the Criminal Case is pending since 2017. The Co-accused in the same Criminal Case is promoted on 18th June, 2021 and the juniors of the Applicants are promoted on 31st June, 2022. All the ACRs of the Applicant are 'Excellent'. Therefore, GR of 15.12.2017 regarding promotion is to be followed. The Learned Advocate for the Applicant submits that the case of the Applicant for promotion is kept in sealed cover.</p> <p>3. The Learned CPO submits that the Applicant is from Water Resources Department and Co-accused is from Rural Development Department. Hence, Departments are different. The decision taken by the Authorities are also different. CPO to take instructions as per G.R. dated 15.12.2017.</p> <p>4. S.O. to 19th October, 2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) / (Mridula Bhatkar, J.) Member-A Chairperson 17.10.2023 17.10.2023</p> <p>(skw)</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>O.A. No.1306 of 2023</u></p> <p>Smita S. Kasle ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Purva Pradhan holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant prays for stay of recovery order dated 19.5.2023 for recovery of Rs.12,28,564/- . Ld. Advocate for the applicant relies on the on the judgment and order dated 18.12.2014 passed by the Hon'ble Supreme Court of India in Civil Appeal No.11527 of 2014 State of Punjab & Ors. Vs. Rafiq Masih (White Washer) & Ors. Ld. Advocate submits that applicant is bed ridden and suffering from Paralysis and Brain Hemorrhage.</p> <p>3. In view of the facts stated above, impugned order of recovery dated 19.5.2023 is stayed.</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 21.11.2023. The respondents are directed to file reply.</p> <p>6. 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>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<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> <p>9. 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: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</p> <p>(sgi)</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 style="text-align: center;"><u>O.A. No.1213 of 2023</u></p> <p>A.B. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 31.10.2023 by way of last chance.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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.978 of 2023</u></p> <p>S.S. Pardule ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri S.K. Zende, learned Advocate for the Applicant and Smt. Archana B.K., 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 21.11.2023. The respondents are directed to file reply. Applicant to serve the office of Ld. CPO as well as all the respondents.</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: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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.1295 of 2023</u></p> <p>A.D. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., 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 21.11.2023. The respondents are directed to file reply.</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: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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.1303 of 2023</u></p> <p>B.M. Thakare ..Applicant Vs: The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.B. Joshi, learned Advocate for the Applicant and Smt. Archana B.K., 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 20.11.2023. The respondents are directed to file reply.</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: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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.1305 of 2023</u></p> <p>S.S. Dhainje ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, 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 28.11.2023. The respondents are directed to file reply.</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: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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.1318 of 2023</u></p> <p>R.B. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Shri A.J. Chougule, 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 1.11.2023. The respondents are directed to file reply. Ld. Advocate submits that matter is covered by judgment in W.P. No.7636/2023. Ld. PO to verify.</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: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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.1325 of 2023</u></p> <p>T.B. Borate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Purva Pradhan holding for Shri D.B. Khaire, learned Advocate for the Applicant 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 5.12.2023. The respondents are directed to file reply.</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: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</p> <p>(sgj)</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 style="text-align: center;"><u>M.A. No.633 of 2023 in O.A. No.273 of 2023</u></p> <p>B.R. Ghadge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Applicant in person is not present.</p> <p>2. S.O. to 25.10.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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 style="text-align: center;"><u>O.A. No.474 & 475 of 2023</u></p> <p>U.A. Karande ...Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. V K. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Id. PO files reply.</p> <p>3. S.O. to 2.11.2023 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</p> <p>(sgj)</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 style="text-align: center;"><u>O.A. No.268 of 2023</u></p> <p>M.A. Chopade & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p style="text-align: center;">Heard Shri Ganesh Masuakar holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 23.11.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</p> <p>(sgj)</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>O.As. No.833 & 834 of 2023</u></p> <p>A.Y. Ilager P.S. Kuchekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicants and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. It is noted that order dated 5.9.2023 is not complied with. Responsible officer is directed to remain present on the next date along with information.</p> <p>4. S.O. to 1.11.2023.</p> <p align="right">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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 style="text-align: right;"><u>O.A. No.986 of 2023</u></p> <p>R.B. Borhade ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply.</p> <p>3. S.O. to 1.11.2023 for filing rejoinder.</p> <p style="text-align: right;">Sd/- (Médha Gádgil) Member (A) 17.10.2023</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 style="text-align: center;"><u>O.A. No.994 of 2023</u></p> <p>D.D. Sherkhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 6.11.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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 style="text-align: center;"><u>O.A. No.995 of 2023</u></p> <p>D.D. Sherkhane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Responsible officer is directed to remain present on the next date.</p> <p>3. S.O. to 25.10.2023.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) Member (A) 17.10.2023</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 style="text-align: center;"><u>O.A. No.1068 of 2023</u></p> <p>N.P. Kharat ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 1.11.2023 for final hearing.</p> <p style="text-align: right;">Sd/- (Medha Gadgil) //' Member (A) 17.10.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.561 of 2020

Dr. K.S. Jawale ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Applicant who is working as Anesthetist, Class-I in Civil Hospital, Ulhasnagar challenges order dated 2.11.2018 thereby rejecting his application for voluntary retirement which was issued under Rule 66 of MCS (Pension) Rules, 1982.

3. Ld. PO contended that a show cause notice is issued to the applicant for misconduct for demanding money. There are complaints against the applicant for demanding money from poor patients at the time of operation and notice accordingly was given on 16.3.2019.

4. A report of the committee in respect of corruption made against the applicant was received on 3.10.2013, which is at page 57. The report was submitted in favour of the applicant that there is no evidence to show that applicant is demanding money from the public.

5. Shri V.P. Ghodke, Under Secretary is directed to remain present to give explanation of his letter dated 2.11.2018.

6. S.O. to 18.10.2023.

Sd/-

(Medha Gadgil)
Member (A)
17.10.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
17.10.2023

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A.1161/2023</u></p> <p>P.G. Raut ... Applicant Vs. The State of Maharashtra & Ors. ... Respondents</p> <p>1. Heard Shri A.S. Gaikwad, learned advocate for the Applicant, Ms. S.P. Manchekar, learned C.P.O for the Respondents 1 to 4 and Shri Abhishek Bhat instructed by K.P. Law Associates for Respondent No.5.</p> <p>2. Pursuant to the order dated 11.10.2023 as nothing is mentioned in the Affidavit filed on 09.10.2023 of Mr. Shrikant Deshmukh, Deputy Director, Town Planning, UDD taking cognizance of letter of 03.06.2023 of Punam Pandit that she is not interested in recruitment as she is already promoted as to what decision is taken by UDD, Therefore, Principal Secretary, UDD to file Affidavit to that effect especially whether UDD has requested MPSC to recommend the next name in the merit list.</p> <p>3. We take note that no recommendation in place of Punam Pandit is sent by MPSC.</p> <p>4. Shri A.S. Gaikwad, Learned Advocate prays that the order of status quo be maintained as on today. We are not inclined to pass such order at this stage, as specific statement is made by MPSC that no name is recommended in place of Punam Pandit.</p> <p>5. S.O. to 19th October, 2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member-A Chairperson 17.10.2023 17.10.2023</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.10.2023</p> <p style="text-align: center;">O.A.No.839/2023</p> <p>S.S. KekaneApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Counsel for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Though the O.A. was allowed by order dated 11.10.2023, the matter was suo moto taken on board.</p> <p>3. In view that the order dated 11.10.2023 is uploaded on 16.10.2023, wherein Respondent No.4, M.P.S.C. was directed to accept the application form of the Applicant physically or through on-line on or before 17.10.2023, we extend the date for the same procedure till 20.10.2023.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Debashish Chakrabarty) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.10.2023</p> <p style="text-align: center;">C.A.No.79/2023 in O.A.No.650/2015</p> <p>M.R. PatilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel Mr. Lonkar has tendered copy of order dated 11.10.2023 passed by the Hon'ble High Court in Writ Petition No.12382/2023. In the said order it is noted in paragraph 2 that the Respondent No.1- Org. Applicant has expired on 05.09.2023.</p> <p>3. As per the order of the Hon'ble High Court it is the Government to decide about further action and the said Writ Petition is adjourned to 04.12.2023.</p> <p>4. In view of above, C.A. is adjourned to 11.12.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">/ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

Member (A)**Chairperson** Applicant/s

Akn

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;">17.10.2023</p> <p style="text-align: center;"><u>O A 466/2018</u></p> <p>Shri M.R Tambe & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O tenders copy of the minutes of the D.P.C meeting held in the year 2014 to the Tribunal.</p> <p>3. Learned counsel for the applicants' objects to the copy of the minutes of the D.P.C meeting tendered by the learned C.P.O to the Tribunal.</p> <p>4. We direct the learned C.P.O to file affidavit enclosing copy of the minutes of the D.P.C meeting held in the year 2014 and the same be served on the learned counsel for the applicants.</p> <p>5. Learned counsel for the applicants is at liberty to file rejoinder, if required.</p> <p>6. S.O to 21.11.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</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
	17.10.2023
	<u>O.A 82/2017</u>
	Dipika K. Khairnar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents
	1. Heard Shri A.S Gaikwad, learned advocate for the applicant, Ms Swati Manchekar, learned C.P.O for Respondents No 1 & 2 and Shri K.R Jagdale, learned counsel for Respondents No 3 to 14. None present for Respondents No 16 to 20.
	2. In the course of the arguments it is found that Respondents No 16 to 20, were newly added Respondents on 9.8.2023. Learned counsel for the applicant has filed affidavit of service dated 10.8.2023 that added Respondents no 16 to 20 are served on their email. We are of the view that they are also required to be served through the Respondent No. 1, School Education Department on or before 21.10.2023. Thus, Respondents No 16 to 20 are given time to appear before the Tribunal.
	3. Though the matter is expedited by the Hon'ble High Court, we make it clear that in view of the principles of natural justice, sufficient opportunity is to be given to the added Respondents No 16 to 20 to appear before the Tribunal. It is also the duty of the Judicial Officer that the Respondents No 16 to 20 are to be served and necessary care is required to be taken.
	4. Learned counsel submitted that Scanned Copy of 356 pages of amended O.A along with Annexures, reply, rejoinder was served on the added Respondents No 16 to 20 on 9.8.2023 through email. However, the added Respondents No 16 to 20 have not appeared before the Tribunal. As by way of abundant precaution all the Respondents No 16 to 20 are in service of the Respondents for last 2 years and their appointment is challenged. Liberty is also given to the learned counsel for the applicant to serve the amended copy of the O.A to the added Respondents No 16 to 20.
	5. S.O to 31.10.2023.
	Sd/-
	Sd/-
	(Mridula Bhatkar, J.) Chairperson
	(Medha Gadgil) Member (A)
	Akr

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

Tribunal's orders

Date : 17.10.2023

O.A.No.1114 of 2016

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

1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Counsel has relied on the judgment of Hon'ble Supreme Court in the case of **Sandhya Versus State of Maharashtra & Ors. reported in (2014) 13 SCC 260.**

3. Learned Counsel Applicant No.3, Smt. Swati Mahendra Thakare was given protection by order dated 15.12.2016 passed in O.A.No.1105/2016 with O.A.No.1114/2016.

4. A question is put to learned Counsel whether the applicant No.3, Smt. Swati M. Thakare was working in the office of the Government Pleader and Public Prosecutor, BHC Appellate Side on 15.12.2016 i.e. the date on which the said order of interim relief was passed. For this question a specific answer is required.

5. Learned Counsel has replied that Applicant No.3, Smt. Thakare was relieved on 07.06.2017. The same is confirmed by learned P.O. as well.

6. Learned P.O. is directed to file affidavit whether candidates selected through M.P.S.C. are appointed on the post wherein applicants were working.

7. Adjourned to 19.10.2023. H.O.B.

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

Date : 17.10.2023

O.A.No.1169 of 2022

K.A. DevkateApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. R.V. Shinde, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Learned P.O. is directed to inquire whether cost of Rs.1/- is paid from the official record of Public Health Department.
3. Learned Counsel has submitted that the Applicant wants to amend the prayer and also add documents of non-eligibility report. He further produces list of similarly matters wherein similar relief is sought by the Applicants.
4. The copy of said list is to be furnished to the office of C.P.O. so that all these O.As can be heard on the same date.
5. In view of above adjourned to 26.10.2023. To be tagged along with O.A.No.1169/2022, O.A.No.483/2023, O.A.No.612/2023, O.A.No.726/2023, O.A.No.716/2023 and O.A.No.894/2023, O.A.No.895/2023 & O.A.No.896/2023.

Sd/-

(Medha Gadgil)
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.10.2023</p> <p>O.A.No.1077 of 2016</p> <p>D.C. GiraseApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Neha Kachi holding for Mr. Talekar, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Counsel Ms. Kachi adjourned to 18.10.2023 at 11.30 a.m.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>prk</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>C.A. No.79 of 2022 in O.A. No.605 of 2022</u></p> <p>Dr. B.T. Karvekar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Affidavits are not filed by either of the side. Ld. Advocate for the applicant needs statement. We are of the view that whatever statement is made on the earlier date i.e. 10.10.2023 in respect of paying interest on commuted amount as per 6th Pay Commission, is stated on oath by the applicant.</p> <p>3. S.O. to 19.10.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 17.10.2023 17.10.2023</p> <p>(sgj)</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>M.A. No.248 of 2023 in O.A. No.388 of 2023</u></p> <p>K.N. Bhosale & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Pooja Mankoji holding for Ms. P.S. Phagnekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that Ms. P.S. Phagnekar, Ld. Advocate is not well and therefore she requests for time.</p> <p>3. S.O. to 21.11.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 17.10.2023 17.10.2023</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 align="center"><u>M.A. No.609 of 2022 in O.A. No.1044 of 2021</u></p> <p>P.S. Yadav ..Intervener And R.B. Kolpe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Shri S.C. Mangle, Ld. Advocate for Intervener is not present.</p> <p>3. Ld. Advocate for the applicant submits that the Intervener is unknown.</p> <p>4. The matter is fixed for dismissal on 20.10.2023.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 17.10.2023 17.10.2023</p> <p>(sgj)</p>

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

Tribunal's orders

M.A. No.595 of 2023 in O.A. No.385 of 2022

C.B. Talwar & 5 Ors. ..Interveners
And
S.K. Hankare & 9 Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Smt. Punam Mahajan, Ld. Advocate for the applicants has filed leave note.

3. Ld. Advocate for the Interveners submits that MA is filed for intervention in the OA and prays that Interveners are to be added as party respondents in the array of respondents. Interveners and applicants are Kotwal. However, they want to be appointed as Peon in Group-D post.

4. This Tribunal by order dated 5.5.2022 has directed to keep 10 posts of Kotwal vacant.

5. Ld. Advocate for the Interveners submits that the interveners are selected as they were found eligible as per merit and 6 toppers in the select list. Ld. Advocate submits that total number of posts of Peon in Group-D, which is promotional post for Kotwal is to be furnished by the Collector, District Solapur.

6. Ld. PO to take get the information.

7. S.O. to 20.10.2023.

Sd/-

(Medha Gadgil)
Member (A)
17.10.2023

(sgj)

Sd/-

(Mridula Bhatkar, J.)
Chairperson
17.10.2023

**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 align="center"><u>R.A. No.3 of 2023 in O.A. No.280 of 2022</u></p> <p>G.B. Jagtap ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicant and Sint. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that matter if fixed in the Hon'ble High Court tomorrow at 2.30 p.m.</p> <p>3. S.O. to 21.11.2023.</p> <p align="center">Sd/- Sd/- (Mridula Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 17.10.2023 17.10.2023</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 align="center"><u>C.A. No.89 of 2023 in O.A. No.967 of 2022</u></p> <p>M.G. Sathe ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that total amount comes to Rs.2.5 lakhs by way of interest on delayed payment. However, the respondents have offered the applicant an of amount Rs.18,888/-.</p> <p>3. Ld. PO on instructions, from the officer present in the Court, submits that applicant is entitled for interest on delayed payments of gratuity, pension and leave encashment. Ld. PO submits that interest on delayed payment of leave encashment will be paid right now. Ld. PO submits that as far as interest on delayed payment of gratuity and interest on delayed payment of pension is concerned a proposal has been sent to Accountant General on 30.8.2023. The officer present states that he is pursuing the matter with the AG.</p> <p>4. Accountant General to take note that the matter is in contempt and therefore it should be expedited.</p> <p>5. S.O. to 2.11.2023.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 17.10.2023 17.10.2023</p> <p>(sgj)</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>O.A. No.370 of 2021 with M.A. No.299/2021</u></p> <p>R.A.R. Shaikh ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri H.B. Sangle holding for Shri H.S. Chitale, 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 submits that applicant is now retired. He seeks time to file affidavit.</p> <p>3. S.O. to 31.10.2023. Interim relief to continue.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(Medhã Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 17.10.2023 17.10.2023</p> <p>(sgj)</p>