

**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 : 17.11.2022</p> <p style="text-align: right;">O.A.No.899 of 2022 with O.A.No. 561 of 2021</p> <p>K. A. SalunkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. In terms of order passed by the tribunal on 18.10.2022, Affidavit in Reply was to be filed much earlier but the same was not filed. 3. Learned P.O. submits that there was mistake on her part for not filing reply within time given by the Tribunal. 4. In the interest of justice, allowed to file Affidavit in Reply. It be taken on record. 5. O.A. be kept for hearing at the stage of admission. 6. S.O. to 01.12.2022. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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: 17.11.2022</p> <p align="center">O.A. No.474 of 2022</p> <p>D.G. MoreApplicant 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. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.1. It is taken on record.</p> <p>3. S.O. to 07.12.2022.</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____

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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: 17.11.2022</p> <p align="center">O.A. No.492 of 2022</p> <p>D.M. ChavanApplicant 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. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent No.1. It is taken on record.</p> <p>3. S.O. to 07.12.2022.</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: 17.11.2022</p> <p align="center">O.A. No.566 of 2022</p> <p>S.A. MoreApplicant 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. Today learned P.O. has filed Affidavit-in-Sur Rejoinder on behalf of Respondent Nos.1 & 2. It is taken on record.</p> <p>3. S.O. to 07.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.906 & 907/2021

Shri P.K. Mokashi & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

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

2. Today, learned Advocate for the Applicants filed Sur-Sur-Rejoinder on behalf of Applicants. It is taken on record.

3. S.O. to 1st December, 2022.

Sd/-
(A.P. Kurhekar)
Member-J
17.11.2022

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.990/2022

**Smt. S.G. Zagade
Vs.**

... Applicant

The State of Mah. & Ors.

... Respondents

1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondent No.1, Shri M.L. Lonkar, learned Advocate for Respondent No.2 and Shri U.V. Bhosle, learned Advocate for Respondent No.3 is present.

2. Today, learned Advocate for the Applicant filed Rejoinder. It is taken on record.
1st 8th December, 2022.

Sd/-

(A.P. Kurhekar)

Member-J

17.11.2022

(skw)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.11.2022</p> <p>M.A.No.629 of 2022 in O.A.No.677 of 2022</p> <p>The State of Maharashtra & ORs.Applicant (Org. Resp.)</p> <p>Vs. N.K. Pashte & Ors.Respondents. (Org. Appli)</p> <p>1. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Applicant (Org. Respondent) and Mr. U.V. Bhosle, learned Advocate for the Respondents (Org. Applicant). Applicant No.2, Mr. Nitin P. Aher present in Person</p> <p>2. Learned Advocate Mr. Bhosle seeks one week time to file reply.</p> <p>3. Learned P.O. Ms. Gaikwad on the basis of instructions received from V.S. Swami, Assistant, M.P.S.C. submits that M.P.S.C. is ready to correct the procedure and also syllabus after obtaining approval from the Principal Secretary, Medical Education and Drugs Department,</p> <p>4. Learned Advocate Mr. Bhosle has pointed out that though the Tribunal has quashed and set aside the entire process of this examination by order dated 28.09.2022. Thereafter on 19.10.2022 and 10.11.2022, M.P.S.C. proceeded with further steps of the said examination by publication of circular in respect of examination and also publishing the syllabus.</p> <p>5. This act of M.P.S.C. is very objectionable. In fact it amounts to Contempt unless there is order of stay from the Hon'ble High Court. This order is to be placed before Mr. Nimbalkar, Chairman, M.P.S.C.</p> <p>6. We find some substance in the submissions of learned P.O. so we suggest that if the matter can be worked out from both the parties by accepting the valid suggestions it can be done within one week. In the meanwhile learned Advocate Mr Bhosle to file affidavit-in-reply. Registry is directed to communicate this order to Mr. Nimbalkar, Chairman, M.P.S.C</p> <p>7. Adjourned to 24.11.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) 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 : 17.11.2022</p> <p>O.A.No.730 of 2018</p> <p>B.I. FulariApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.S. Mulla, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. It is to be removed from the caption of High Court remand back matter.</p> <p>3. Adjourned to 19.01.2023.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) 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><u>17.11.2022</u></p> <p><u>O.A 667/2022</u></p> <p>Shri R.H Patil & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submits that the Respondents are going to make promotions.</p> <p>3. If any promotion made to the post of Addl. C.E.O will be subject to the outcome of the present O.A.</p> <p>4. S.O to 15.12.2022.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/-</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
	<p><u>17.11.2022</u></p> <p><u>C.A 57/2022 in O.A 927/2017</u></p> <p>Shri G.D Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that on 30.9.2022 the office of the Accountant General has given sanction.</p> <p>3. In view of the above, we the Respondent-State to comply with the order within one week.</p> <p>4. S.O to 22.11.2022.</p> <p>Sd/- _____ 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
	<p align="center"><u>17.11.2022</u></p> <p align="center"><u>O.A 870/2022</u></p> <p>Dr A.S Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.R Deshpande, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that she has not received the para-wise remarks and request for four weeks' time to file reply.</p> <p>3. Learned counsel for the applicant prays for two weeks' time.</p> <p>4. S.O to 8.12.2022.</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 _____

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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 : 17.11.2022</p> <p align="center">R. A. No.20 of 2022 in O.A.No.591 of 2021</p> <p>S. A. NashikkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel 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 reply to R.A.</p> <p>3. S.O. to 01.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p> <p><u>L.O.</u></p> <p>4. Learned P.O. has filed reply to R.A. It is taken on record.</p> <p>5. S.O. to 01.12.2022 for hearing at the stage of admission.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 17.11.2022</p> <p align="center">M. A. No.620 of 2022 in O.A.No.1022 of 2021</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>U. K. Anvekar & Ors. ...Respondents (Ori. Applicants)</p> <p>1. Heard Shri A. J. Chougule, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri M. B. Ghule, learned Counsel for the Respondents (Ori. Applicants)</p> <p>2. This M.A. is filed for extension of time to comply the order dated 13.07.2022 passed by the Tribunal in O.A.No.1022/2021. The Tribunal has granted three months time for compliance of the order in the matter of compassionate appointment.</p> <p>3. Three months time is expired on 13.10.2022 whereas M.A. for extension of time is filed on 19.10.2022 i.e. after expiration of period given by the Tribunal.</p> <p>3. The Tribunal has already given enough time of three months for compliance. The Respondents ought to have taken necessary steps either to comply the order or to challenge the same before the higher forum but no such expeditious steps were taken. Even the M.A. is filed after the period given by the Tribunal is over. Hence, I am not inclined to extend the time.</p> <p>4. In view of above, M.A. is rejected. No order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</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>Date : 17.11.2022</p> <p>M. A. No.639 of 2022 in O.A.No.161 of 2021</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>S. R. Koli & Ors. ...Respondents (Ori. Applicants)</p> <p>1. Heard Smt. Archana B. K., learned Presenting Officer for the Applicants (Ori. Respondents) and Shri G. A. Bandiwadekar, learned Counsel for the Respondents (Ori. Applicants).</p> <p>2. This M.A. is filed for grant of two months to comply the order passed by the Tribunal on 26.09.2022 in O.A.No.161/2021. O.A. was filed by the Legal Representatives of the deceased Government servant namely Shantilal Koli who died on 21.09.2020 due to infection of corona virus. However, his retiral benefits were withheld on the ground that the deceased Government servant was appointed on supernumerary post. The Tribunal turned down the contention raised by the Respondents on the point of supernumerary post. Now, the period of two years is over from the death of deceased Government servant, but the heirs are deprived of benefit of retiral benefits of the deceased. The Respondents ought to have taken expeditious steps to comply the order to see that retiral benefits are paid but in vain.</p> <p>3. Thus, the legal heirs of the deceased Government servant are deprived of benefit of retiral benefits for long time. Hence, I am not inclined to extend further time.</p> <p>4. M.A. is, therefore, rejected. No order as to costs.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 17.11.2022</p> <p>O.A.No.1184 of 2019</p> <p>D. J. SonawaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O. one week time is granted for filing Affidavit in Reply.</p> <p>3. S.O. to 24.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 17.11.2022</p> <p>O.A.No.470 of 2022</p> <p>C. D. AnbhuleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel both are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. On request of learned P.O. two weeks time is granted to file reply as a last chance.</p> <p>3. S.O. to 02.12.2022.</p> <p>Sd/- (A.P. Kurhekar) Member(J)</p>

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

Tribunal's orders

Date: 17.11.2022

O.A. No.1132 of 2022

S.K. SonawaneApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant has sought direction to the Respondents to treat suspension period from 30.09.2021 to 25.07.2022 as duty period *inter-alia* contending that though he is reinstated in service ~~but~~ no further steps are taken by the Department in respect of alleged / default mis-conduct ^{attributed to} ~~conducted by~~ the Applicant for which he was suspended on 30.09.2021.
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 15.12.2022.
5. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
7. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.
9. S.O. to 15.12.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**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: 17.11.2022</p> <p align="center">O.A. No.768 of 2022</p> <p>K.L. VartakApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S. Salunke, 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-Sur Rejoinder is under preparation and the same will be filed during the course of the day. Statement is accepted. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 13.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

ORIGINAL APPLICATION NO.1143 OF 2022

Smt. Rachita Subrat Ratho,

).. **Applicant**

Versus

The State of Maharashtra

) ..**Respondents**

Shri A.V. Bandiwadekar, learned Advocate for the Applicant.

Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : A.P. KURHEKAR, MEMBER (J)

DATE : 17.11.2022.

ORDER

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The Applicant has challenged transfer order dated 07.11.2022 whereby she is transferred from the post of Associate Professor, Law College to Elphinstone College, Mumbai and prayed for interim relief.

3. Shri A.V. Banidwadekar, learned Advocate for the Applicant sought interim relief *inter-alia* contending that the Applicant is transferred mid-term and mid-tenure only because she has raised certain grievances about the functioning of College but the Principal of College indicatively sent proposal for transfer. He further sought to contend that no special case is made out for mid-term and mid-tenure transfer as applicable under section 4(5) of Transfer Act 2005.

4. Per contra, learned P.O. sought to justify transfer order and opposed grant of interim relief *inter-alia* contending that it was found necessary for smooth functioning of the College and it has been approved by C.S.B. and Hon'ble Chief Minister. She has further pointed out that the Applicant is relieved and joined at Elphinstone.

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5. The perusal of record reveals that the Applicant is serving in Government Law College, Mumbai from 1995. In 2011 she was transferred by order dated 03.12.2011 to Elphinstone College, Mumbai which she challenged by filing O.A. No.1032/2011. O.A. was dismissed on 07.11.2012. Being aggrieved by it she filed W.P. No.564/2013 before Hon'ble High Court. However, before Hon'ble High Court statement was made by Government pleader that Applicant's case was again considered in meeting held on 10.02.2015 at Mantralaya, Mumbai for transferring her back to Government Law College. Hon'ble High Court therefore disposed of Writ Petition without going in the merit of the case. Thus fact remains that the Applicant is serving in Government Law College from 1995. In 2011 she was also transferred on the ground that she was not of good terms with the then Principal and there was rift between them which was affecting the College administration.

6. Now turning to the impugned transfer order the perusal of file noting reveals that in view of letter of Principal, Department proposed transfer of the Applicant and with the recommendation of CSB it was placed before Hon'ble Chief Minister who accorded approval for the Transfer of the Applicant.

7. Thus *prima-facie* competent authority approved the Transfer of the Applicant. Admittedly, she is relieved and joined at Elphinstone College, which is hardly one km away from Government Law College. There is no change in the service conditions.

8. In view of above, I am not inclined to grant interim relief.

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

10. Issue notice before admission returnable on 15.12.2022.

11. 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.

12. 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.

13. 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.

14. 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.

15. S.O. to 15.12.2022.

Sd/-

√ √ √
(A.P. KURHEKAR)
MEMBER (J)

Place: Mumbai
Date: 17.11.2022
Dictation taken by: N.M. Naik.

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION No.1146 of 2022

R.G. Mamoo

)..... **Applicant**

Versus

State of Maharashtra & Ors.

)...**Respondents**

Shri Arvind V. Bandiwadekar, Counsel for the Applicant

Smt. Kranti Gaikwad, Presenting Officer for the Respondents

CORAM : SHRI A. P. KURHEKAR , MEMBER (J)

DATE : 17.11.2022

ORDER

1. The Applicant has challenged the transfer order dated 16.11.2022 whereby he is transferred mid-term and mid-tenure from the post of Deputy Charity Commissioner, Pune to Deputy Charity Commissioner, Amravati and sought interim relief to stay implementation of transfer order dated 16.11.2022.

2. Shri A. V. Bandiwadekar, learned Counsel for the Applicant has pointed out that Applicant had joined at Pune in terms of transfer order dated 09.08.2021 and had not completed normal tenure of three years but only to favour the Respondent No.2, he is transferred and in his place Respondent No.2- Shri N. W. Jagtap has been posted. He has further pointed out that there was absolutely no other ground or reason to transfer the Applicant abruptly.

3. Smt. Kranti Gaikwad, learned Presenting Officer has tendered the file and all that she submits that the Hon'ble Chief Minister ordered for transfer of Respondent No.2- Shri Jagtap at Pune and, therefore, the Applicant was displaced and sent to Amravati in place of Respondent No.2.

4. Indeed, in transfer order dated 16.11.2022 itself there is a specific reference that because of request of Respondent No.2- Shri Jagtap, the Applicant is transferred from Pune to Amravati. The perusal of file tendered by learned P.O. also reveals that the Respondent No.2 though not due for transfer from Amravati, he made request and the Hon'ble Chief Minister obliged him. This the only reason for displacing the Applicant.

5. The Civil Services Board had also noted that the Applicant is not due for transfer but left the matter to the Hon'ble Chief Minister who ordered for transfer of Applicant from Pune to Amravati and to post the Respondent No.2- Shri Jagtap in his place at Pune.

6. Suffice to say, no administrative exigency, or special reason is forthcoming to transfer the Applicant mid-term and mid-tenure. On the contrary, it is explicit from the record that only to favour Respondent No.2- Shri Jagtap, the Applicant is unceremoniously transferred which is nothing but abuse of power and nothing else. The impugned transfer order dated 16.11.2022 is thus totally arbitrary and outcome of favoritism and in blatant violation of provisions of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.

7. In view of above, interim relief in terms of prayer clause 10(a) is granted.

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

9. Issue notice to the Respondents before admission returnable on 15.12.2022 as to why interim relief should not be made absolute and why O.A. should not be allowed with exemplary cost

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

11. 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.

12. 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.

13. 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** Application shall be placed on board before the concerned Benches under the caption "**for Dismissal**" and thereafter on the subsequent date the Original / **Miscellaneous** Application shall stand dismissed.

14. S.O. to 15.12.2022. Steno copy granted.

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 : 17.11.2022</p> <p align="center">O.A.No.876 of 2022</p> <p>R. V. MukaneApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record. No separate reply is filed on behalf of Respondent No.2 though enough time is already availed. 3. Hence, I am not inclined to grant further time to file reply on behalf of Respondent No.2. 4. On request of learned Counsel, two weeks time is granted to file Rejoinder. 5. S.O. to 01.12.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</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 : 17.11.2022</p> <p align="center">O.A.No.988 of 2022</p> <p>V. V. Deshmukh & _____Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Sushant Khtake holding for Shri P.S. Bhavake, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record. 3. Two weeks time is granted for filing Rejoinder. 4. S.O. to 02.12.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</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 : 17.11.2022</p> <p>O.A.No.1110 of 2022</p> <p>V. P. PingleApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The O.A. seems to be not within limitation but no application for condonation of delay is filed.</p> <p>3. Learned Counsel for the Applicant sought two weeks time to file M.A. for condonation of delay.</p> <p>4. S.O. to 01.12.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 17.11.2022</p> <p>O.A.No.1046 of 2022</p> <p>G. S. KhadeApplicant</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 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 filed reply.</p> <p>3. This O.A. be kept with connected O.A.s on 28.11.2022.</p> <p>4. S.O. to 28.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</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 : 17.11.2022</p> <p align="center">M. A. No.652 of 2022 in O.A.No.1139 of 2022</p> <p>T. G. Bhole & 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 Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. At the very outset, when the Tribunal raised issue of limitation, learned Counsel for the Applicants sought two weeks time to file M.A. for condonation of delay.</p> <p>3. Two weeks time is granted to take necessary steps.</p> <p>4. S.O. to 01.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 17.11.2022</p> <p>R. A. No.20 of 2022 in O.A.No.591 of 2021</p> <p>S. A. NashikkarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel 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 reply to R.A.</p> <p>3. S.O. to 01.12.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 17.11.2022</p> <p align="center">M. A. No.475, 476 & 477 of 2022 in O.A.No.786, 787 & 788 of 2022</p> <p>T. D. Pednekar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri V. R. Gawas, learned Counsel for the Applicants and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply in M. A. No.475/2022. It is taken on record.</p> <p>3. No reply is filed in other Misc. Applications. Since enough time is granted, I am not inclined to grant further time.</p> <p>4. All these Misc. Applications be kept for hearing.</p> <p>5. S.O. to 02.12.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 17.11.2022</p> <p align="center">O.A.No.1014 of 2022</p> <p>D. D. PanbudeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U V. Bhosale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. lastly three days time is granted to file reply.</p> <p>3. S.O. to 21.11.2022. No further time will be granted</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p>

