

**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.468 & 469 of 2020</u></p> <p>A.R. Jagtap P.P. Shinde & Anr. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit.</p> <p>3. S.O. to 16.3.2021 for final hearing.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman 17.12.2020 (sgj)</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson 17.12.2020</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
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O.A. No.470 of 2020

N.D. Gangurde ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In this OA the applicant seeks directions that the respondents to open the sealed cover kept by the DPC in 2018 and 2019 and if the applicant is found fit for promotion to the post of Tahsildar, then he be promoted immediately along with consequential service benefits.

3. Ld. CPO informs that charge sheet is served on the applicant on 7.10.2020.

4. In view of the prayer, the OA is disposed off with the following order.

5. The Respondents are directed to open the sealed cover kept by the DPC in 2018 and 2019 on or before 7.1.2021 and if the applicant is found fit for promotion to the post of Tahsildar, then he be promoted immediately along with consequential service benefits, in accordance with law. The decision taken by the respondents be communicated to the applicant within two weeks thereafter.

Sd/-

(P.N. Dixit)
Vice-Chairman
17.12.2020

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
17.12.2020

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. of 20

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.506 of 2020

A.P. Gosavi ..Applicant
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. None for the applicant.

- 2. Ld. PO files reply and the same is taken on record.
- 3. Admit.
- 4. S.O. to 13.4.2021 for final hearing.

Sd/-
 (P.N. Dixit)
 Vice-Chairman
 17.12.2020

Sd/-
 (Mridula R. Bhatkar, J.)
 Chairperson
 17.12.2020

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.1133 of 2018

B.A. Kale & Ors. ..Applicants
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri A.R. Deshpande, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant seeks leave to amend the OA.

3. Leave granted. Amendment be carried out within one week and amended copy of OA be served on all the respondents and the office of Ld. CPO thereafter within ten days to enable the respondents to file reply, if any, to the amended OA.

4. S.O. to 21.1.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman
17.12.2020

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
17.12.2020

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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17.12.2020

O.A 652/2020

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

1. Heard Shri M.V Thorat, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. The applicant, Deputy Collector, prays that the order dated 17.9.2020 regularizing the period of suspension as suspension only is to be quashed and set aside and also seeks declaration that applicant be considered for grant of deemed date of promotion to the post of Deputy Collector.

3. Learned C.P.O submits that at the outset this Original Application is not maintainable as remedy of appeal is available against the impugned order dated 17.9.2020.

4. Learned counsel for the applicant is directed to consider the remedy of appeal and will have to answer the submissions raised by learned C.P.O regarding the remedy of appeal.

5. Issue notice returnable on 21.1.2021.

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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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.

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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.

9. S.O to 21.1.2021.

Sd/-

(P.N¹Dixit)
 Vice-Chairman (A)

Sd/-

(Mridula Bhatkar J.)
 Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A. No.329 of 2020 in O.A. No.1056 of 2019

G.A. Agale ..Applicant
 Vs.
 The State of Maharashtra & Ors. ..Respondents

Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Ld. Advocate for the applicant has filed this MA seeking stay to the provisional seniority list which was published on 2.11.2020 as his representation dated 10.11.2020 is not yet decided.

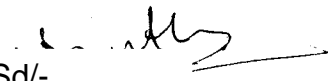
3. Ld. CPO, on instructions, informs that representation of the applicant was considered and decided before issuance of the seniority list which was issued on 11.12.2020.

4. Ld. Advocate for the applicant submits that he has filed this MA on 10.12.2020 and it was served on the respondents on 10.12.2020 itself. The decision on the representation of the applicant is not communicated to the applicant.

5. The respondents are directed to communicate the decision on the representation to the applicant in writing and file reply to the MA.

6. S.O. to 11.1.2021.

Sd/-
 (P.N. Dixit)
 Vice-Chairman
 17.12.2020

Sd/- 
 (Mridula R. Bhatkar, J.)
 Chairperson
 17.12.2020

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20 _____

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17.12.2020

C.A 35/2020 in O.A 770/2019

Shri S.B Mahajan ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. The order dated 31.8.2020 passed by the Single Bench of this Tribunal in the above Original Application thereby setting aside the transfer order dated 31.5.2019 is the matter of contempt. The applicant thus who was transferred from Nasik to Manmad should have been restored back to Nasik after the said order dated 31.8.2020 passed by this Tribunal. Learned counsel for the applicant submits that as per letter dated 23.11.2020 the Government gave applicant ten options within Nasik District where he can be posted. Out of ten options, the applicant chose serial no. 1, i.e. Police Dawakhana, Nasik Head quarter. Thereafter he gave willingness for the said posting on the same day, i.e. 23.11.2020.

3. Learned P.O submits that the proposal regarding posting the applicant at Police Dawakhana, Nasik is submitted to the Government on 2.12.2020.

4. We take serious note of this Contempt Application that though this Tribunal has passed order on 31.8.2020 and three and half months are over, the applicant is not given posting as per the order of this Tribunal. The choice posting of the applicant was asked by Respondent no. 1, by letter dated 23.11.2020 only after he filed the Contempt Application.

5. It appears from the record that the Respondent no. 1 has not taken any decision till 23.11.2020, after the order dated 31.8.2020 was passed by this Tribunal setting aside the transfer order dated 31.5.2019.

6. The matter is kept on 22.12.2020 calling for the explanation from Respondent no. 1, for not obeying the order of this Tribunal dated 31.8.2020 till today.

7. S.O to 22.12.2020. Hamdast.

Sd/-

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

Akn

Sd/-

(Mridula Bhatkar J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.A. No.261 of 2020

B.A. Jadav ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Reply not filed.
3. Admit.
4. Matter is fixed for final hearing on 30.3.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman
17.12.2020

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
17.12.2020

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p align="center"><u>O.A. No.819 & 820 of 202019</u></p> <p>V.V. Chavan (OA.819/2019) A.J. Thorat (OA.820/2019) ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that respondent no.3 has sent proposal to respondent no.2 on 2.11.2020 regarding payment of back wages of the applicants during the period of dismissal.</p> <p>3. Now, Ld. Advocate for applicants submits that as the issue of back wages remains the matters can be disposed off with directions.</p> <p>4. Hence, we dispose of the above two OAs and direct the respondents to decide and disburse the back wages to the applicants in accordance with law on or before 31.1.2021.</p> <p align="center">Sd/- Sd/- (P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson 17.12.2020 17.12.2020 (sg)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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M.A./R.A./C.A. No. _____ of 20____

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Date : 17.12.2020

O.A.No.452 of 2020

R.N. Mohite ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri H.P. Ghadigaonkar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents No.1 to 3 and Smt.Punam Mahajan, learned Advocate for Respondent No.4.

2. The learned Counsel Smt. Punam Mahajan files affidavit-in-reply on behalf of Respondent No.4. The same is taken on record.

3. Matter is ready. Admitted kept for final hearing.

4. Adjourned to 19.01.2020.

Sd/-

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

prk

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

Tribunal's orders

Date : 17.12.2020

O.A.No.742 of 2020 with M.A.No.324 of 2020

S.K. Darekar & Ors. ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 11.02.2021 in both O.A. and M.A..
4. Applicants are 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 in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. 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. Applicants are directed to file Affidavit of compliance and notice.
7. All the 16 applicants who are working as a Junior Clerk in JJ hospital Mumbai challenge the order dated 31.10.2018 rejecting their prayer of granting deemed date to the applicants in the cadre of Junior Clerk of 2004 and Senior Clerk of 2016 along with the consequential service benefits.
8. The learned Counsel submits that M.A.No.324/2020 is filed for condonation of delay of 5 months in filing the present O.A. The learned Counsel submit that the applicants have made application under RTI dated 22.03.2019 and received information on 18.10.2019. Thereafter they made representation on 31.01.2020 and on 23.07.2020. Both the representations have not been decided till date.

9. S.O. to 11.02.2021.

17. 11
Sd/-

(Mridula R. Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 17.12.2020

O.A.No.312/2020

S.K. Nara ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned advocate for the applicants and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. At the request of learned P.O., time granted for filing affidavit in reply

3. S.O. to 19.01.2021.

M. Bhatkar
Sd/-

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date : 17.12.2020

O.A.No.349 of 2020

V.A. Lalbige ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. In view of letter dated 24.11.2017 written by Social Justice and so also letter dated 30.05.2018 written by Desk Officer, Social Justice addressing the issue to the Social Justice Department, the respondent officers i.e. Additional Director General of Police and Deputy Inspector General of Police (Administration) are directed to depute the responsible officer to attend this Tribunal on the next date.

3. S.O. to 22.12.2020. Hamdast.

 M
Sd/-

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

prk

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

Tribunal's orders

Date : 17.12.2020

O.A.No.355 of 2020

S.R. Gowda ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned P.O. seeks time to file reply.

3. Time granted. Short Affidavit-in-reply on behalf of Respondent No.2 of Shri Sanjay Baban Kamble, dated 20.10.2020 is filed by the respondent wherein it is mentioned that in the said Department there is the wait list of the persons who have requested for appointment on compassionate appointment. In the said wait list the applicant's name is at serial No.62. Thus after giving compassionate appointment to 61 persons then the name of the applicant will be considered.

4. In view of this the respondents are directed to update the wait list of the persons who seeks appointment on compassionate ground and applicant may be considered as and when his number will come.

5. O.A. is accordingly disposed off.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Date : 17.12.2020

O.A.No.361/2020

S.B. Datir ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The learned Counsel submits the applicant is reinstated in the service. Hence nothing remains in this matter.

3. O.A. is disposed off accordingly.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application 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
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Date : 17.12.2020

O.A.No.608 of 2020

C.M. Kadam ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri U.B. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. submits that the Respondents have paid provisional pension till October, 2020 and will pay regular pension to the applicant forthwith.

3. The learned C.P.O. prays for time to take instructions.

4. Time granted. S.O. to 25.02.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 17.12.2020

O.A.No.599/2020

T.D. Mundhe ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. The learned P.O. seeks time to file affidavit-in-reply.

3. Time granted. S.O. to 04.02.2020.

Sd/-

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(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 17.12.2020

O.A.No.378/2020

S.N. Raktate ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Shantanu Raktate, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The learned P.O. prays for time to file reply.

3. Time granted by way of last chance. Adjourned to 18.02.2021.

Sd/-

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 17.12.2020

O.A.No.422/2020

D.R. Bhosle ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. The learned P.O. submits that the Applicant is reinstated in service and she prays for time to file reply.

3. The learned Counsel Shri Bandiwadekar informs that he has not been paid subsistence allowance during the period of suspension.

4. The respondents to pay the subsistence allowance. Arrears of subsistence allowance also be paid forthwith if not paid.

5. S.O. to 18.02.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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17.12.2020

O.A 739/2020

Shri S.S Shelke ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. The applicant, Police Inspector challenges the transfer order dated 29.10.2020 issued by the Respondent transferring Police Inspectors to various places and not the applicant. Learned counsel submits that the applicant has completed total 3 years within Mumbai Police Commissioner since 31.8.2017 till today.

3. Shri Bandiwadekar submits that though the Police Officers were not due for transfer from present posting he has completed 3 years from August, 2017 till today in Mumbai. Learned counsel submits that wife of applicant is working as A.C.P in State Intelligence Department at Karad, Dist-Satara. Learned counsel submits that he has submitted his representation and has requested his transfer at Satara under clause 2 (1)(b) of G.R dated 27.11.1997. Learned counsel further submits that applicant has worked in Naxalite area for 3 years before he was transferred to Mumbai and therefore, he is to be given the preference in his choice posting as per the Circular dated 11.7.2000 read with 6.8.2020.

4. Learned counsel submits that applicant has to shoulder the responsibility of his old parents who are staying at Sangli.

5. Learned P.O seeks time to take instructions and file reply.

6. S.O to 24.12.2020.

Sd/-

**(Mridula Bhatkar J.)
Chairperson**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>O.A 766/2020</u></p> <p>Shri M.M Masud ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.D Bhambure, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant who retired in November, 2011 claims pension and other service benefits.</p> <p>3. Issue notice returnable on 18.2.2021.</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 in view of this present COVID-19 Pandemic situation. 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. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 18.2.2021.</p> <p align="right">Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders <u>17.12.2020</u>
	<p align="center"><u>O.A 768/2020</u></p> <p>Shri D.T Katke ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.B Talekar, learned advocate for the applicant and Ms Swati Manchekar , learned C.P.O for the Respondents.</p> <p>2. The applicant, who is Deputy Collector, (Resettlement and Rehabilitation) MMRDA, Mumbai, challenges his order of transfer dated 15.12.2020, to as Deputy Collector, Land Acquisition Office, Road Projects, Yevatmal.</p> <p>3. Learned counsel challenges this order on the following grounds:-</p> <p>(a) Transfer policy of Government of Maharashtra, pursuant to various G.R issued due to Covid-19 Pandemic is not followed. The last date for transfer as per the policy of the Government was 10.8.2020.</p> <p>(b) There is violation of Sec 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005. No special reason is recorded in writing before the transfer order is issued. No recommendation and proposal placed before C.S.B for transfer of the applicant.</p> <p>(c) Separate order is required to be passed under Rule 40 sub rule 4 read with Appendix-II, Rule 1(i) of Maharashtra Civil Services (Joining Time, Foreign Service and payment during Suspension, Dismissal & Removal) Rules, 1981.</p> <p>(d) On the ground of discrimination, out of 11 officers, 9 officers are working for more than 3 years, person at serial no. 10 is not transferred and the applicant is only singled out. This is a malafide exercise of power.</p> <p>(e) His performance is exemplary as he was assigned four additional charges of various department.</p> <p>4. Learned C.P.O seeks time to take instructions.</p> <p>5. S.O to 18.10.2020 first on Board.</p> <p align="right">Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>Akn</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>17.12.2020</u></p> <p align="center"><u>O.A 767/2020</u></p> <p>Shri A.D Deokar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.D Lonkar, learned advocate for the applicant and Ms Swati Manchekar , learned C.P.O for the Respondents.</p> <p>2. The applicant, Police Patil, working at Village-Mohi, Tal-Man, Dist-Satara, challenges order dated 20.11.2020 issued by Respondent no. 2 removing him by cancelling his appointment to the said post. The applicant was appointed by order dated 17.1.2019. Learned counsel submits that earlier Respondent no. 3, who is a private party, who has made complaint against the applicant in respect of the appointment, had filed O.A 671/2018, which was dismissed by this Tribunal, on the ground that the then applicant, present Respondent no. 3 did not attach the result sheet dated 30.12.2018. Thereafter, he has approached the Government and Government issued the directions to Sub Divisional Officer to review the selection process.</p> <p>3. Learned counsel for the applicant states that no power is conferred upon Respondent no. 1 to direct Respondent no. 2 to reinvestigate the selection process.</p> <p>4. Respondents are not served and especially Respondent no. 3 is required to be served as any interim relief granted will adversely affect Respondent no. 3. Learned C.P.O is directed to clarify the issue raised by the applicant regarding reinvestigating into the selection process.</p> <p>5. S.O to 21.1.2021.</p> <p align="right">Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.12.2020</p> <p style="text-align: center;"><u>O.A 658/2020</u></p> <p>R.T Mande ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri H.B Kamble, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents. 2. The applicant, A.S.I is transferred from Madha Police Station, Solapur to Police Head Quarter, Solapur. He challenges the said order of transfer dated 11.5.2020 and 12.5.2020 and he wants the Respondents to consider his representation dated 20.10.2020. 3. Leave to amend the date of representation in the prayer clause forthwith is granted. 4. Learned counsel for the applicant submits that the applicant is 56 years old and therefore the Government took policy decision not to send Police Officer on field work and they were given table work. He states that applicant is transferred from Madha Police Station to Police Head Quarter, Solapur. Learned counsel states that he was not due for transfer as he was posted at MHADA Police Station in the year 2017. 5. Learned P.O in view of the prayer seeks time to obtain instructions and the matter was kept back for instructions. <p>LATER ON AT 3.00 P.M.</p> <ol style="list-style-type: none"> 1. The learned P.O. on instructions submits that the applicant should place his representation and the paper before Superintendent of Police, Solapur, Ms. Satpute. 2. In view of this submission the application should place his representation before the Superintendent of Police, Solapur, Ms. Satpute and the she should hear his representation and pass the order accordingly. 3. O.A. is disposed off. Hamdast. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 17.12.2020

O.A.No.626 of 2020

Dr. D.B. Bamane ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Arvind V. Bandiwadkar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Dr. B. Kakade, Respondent No.2 in person.

2. In this matter the Respondent/Government to answer a pertinent query why Respondent/ Government has violated Section 5 of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred as 'ROT Act, 2005' for brevity) when applicant and Respondent No.2, both are going to retire on 31.05.2021.

3. The applicant was given posting to Saswad by order dated 01.10.2020 on the post where one Dr. U.R. Tapase was already posted in July 2020. It is shocking that since October, 2020 the applicant is without posting. Moreover the Government has not yet replied a pertinent query raised by this Tribunal in order dated 03.11.2020 about breach of Section 5 of ROT Act, 2005 as the applicant and Respondent No.2, both are going to retire on 31.05.2021. The said order is not complied with. Thereafter the matter appeared on 10.12.2020. Time was granted to Respondent-State to file reply. However till today no reply is filed. The learned P.O. submits that she has not received any instructions.

4. In view of this the Additional Chief Secretary, Public Head Department, Mr. Pradeep Vyas i.e. Respondent No.1 is hereby directed to file affidavit-in-reply on next date.

5. S.O. to 22.12.2020.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**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
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Date : 17.12.2020

O.A.No.451/2020 with O.A.No.453/2020

A.G. Gote ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri Bhushan A Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents, Ms. Sayli Apte a/w Ms. Priyanka Naik i/b. Mr. P.G.Lad, learned Advocate for Respondent No.4 & 5 and Smt. Punam Mahajan, learned Advocate for Respondent NO.6.

2. The learned Counsel Shri Lad appearing for private party i.e. Respondents No.2 and 4 files reply in O.A.No.453/2020. The learned Counsel Smt. Mahajan and learned P.O. seeks time to file reply.

3. Time granted. Adjourned to 04.02.2021.

Sd/-

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

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 17.12.2020</p> <p style="text-align: center;">O.A.No.771 of 2020</p> <p>R.S. Basutkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt. Kalpalata Patil, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief 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 04.02.2021.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>7. The Applicant, librarian, seeks directions that respondents to carry out the pay fixation of the applicant, with retrospective effect, as per the revised pay scales granted from time to time as prayed in prayer clause VII (B) along with the benefits of 7th Pay Commission.</p> <p>8. The learned C.P.O. raises the point of delay and laches in seeking the relief from 1992. The learned C.P.O. to file reply on next date.</p> <p>9. S.O. to 04.02.2021. Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: left;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 17.12.2020
	<p align="center">M.A. No.327 of 2020 in O.A.No.72 of 2019</p> <p>The State of Maharashtra & Ors.Applicants (Ori. Respondents)</p> <p>Versus</p> <p>R. S. Nile ...Respondent (Ori. Applicant)</p> <ol style="list-style-type: none"> 1. Heard Shri A. J. Chougule, learned Presenting Officer for the Applicants (Ori. Respondents) and Shri M. B. Kadam, learned Counsel for the Respondents. 2. This Misc. Application is filed seeking extension of two months for compliance of the order dated 08.10.2020 passed in O.A. No.72/2019 whereby two months time was granted for issuance of medical certificate and to reimburse the medical claim of the Applicant. 3. Learned P.O. submits that Civil Surgeon requires original medical bills, original discharged card etc. However, the Applicant who is present before the Tribunal states that original documents are lost. 4. In such situation, the Applicant shall file an Affidavit before the civil surgeon and on relying on Affidavit and other necessary documents, the Civil Surgeon shall take necessary steps for issuance of the correct medical certificate. 5. In view of above, Original Respondents are directed to ensure the compliance of order passed by this Tribunal on 08.10.2020 within a month from today. 6. Misc. Application is disposed of with no order as to costs. <p align="right">Sd/- W (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
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Date : 17.12.2020

O.A.No.119 of 2020 with O.A.No.120 of 2020

N. B. More

P.A. Patil

....Applicants

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri S. D. Sarode holding for Shri S. S. Dere, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Today, learned P.O. has filed reply in both the matters and the same are taken on record.
3. The matter is adjourned for hearing at the stage of admission with liberty to the Applicants to file Rejoinder, if any.
4. S.O. to 07.01.2021.

Sd/-

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

vsm

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 17.12.2020

M.A.No.314 of 2020 in O.A.No.1172 of 2019

S. K. Walinjar

....Applicant

Versus

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

1. Heard Shri M. V. Thorat, learned Counsel for the Applicant and Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Issue notice before admission returnable on 19.01.2021.
3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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 M.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. In case notice is not collected within seven days or service report on affidavit is not filed 3 days before returnable date, Misc. Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
8. S.O. to 19.01.2021.

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
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Date : 17.12.2020

O.A.No.1206 of 2019

A. R. Dabade

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

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

2. Learned Counsel for the Applicant requested for permission to withdraw the Original Application on the ground that the Applicant does not want to proceed with the O.A.

3. The Applicant is also present before the Tribunal and stated that he does not want to proceed with the matter and had already joined at the post where he has transferred which was under challenge in the present O.A.

4. In view of above, allowed to withdraw the O.A..

5. Accordingly, O.A. is disposed of with no order as to costs.

Sd/-

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

vsm

**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
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Date : 17.12.2020

R.A. No.12 of 2020 in O.A.No.525 of 2019

R. B. NirmaleApplicant

Versus

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

1. Heard Shri Vaishali Jagdale, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer holding Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.

2. Today, learned C.P.O. has filed Affidavit-in-Reply. It is taken on record.

3. The matter is adjourned for hearing of R.A.

4. S.O. to 07.01.2021.

Sd/-

✓
**(A.P. Kurhekar)
Member(J)**

vsm

**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
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Date : 17.12.2020

R.A. No.10 of 2020 in O.A.No.837 of 2019

D. K. Pajai

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. for the Respondents submits that Affidavit in-Sur-Rejoinder will be filed during the course of the day. Statement is accepted. It be taken on record. The copy of Affidavit in-Sur-Rejoinder be furnished to the learned Counsel for the Applicant ^{7/11} in the evening.

3. The matter is adjourned for hearing of R.A. to 22.12.2020.

4. S.O. to 22.12.2020.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.199/2020

Shri A.L.A. Mujawar ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. As Respondents failed to file reply despite enough time, the matter was proceeded for hearing without reply.

3. However, today, the learned P.O. tenders Affidavit-in-reply on behalf of Respondent No.1 and seeks permission to take on record contending that due to Covid-19 pandemic situation, the same could not be filed earlier.

4. Allowed to file Affidavit-in-reply. It is taken on record.

5. Adjourned for hearing at the stage of admission with liberty to the Applicant to file Rejoinder, if any.

6. S.O. to 12th January, 2021.

Sd/-

(A.P. Kurhekar)
Member-J
10.12.2020

(skw)

**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
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Date : 17 .12.2020

O. A. No.200 of 2020

M. P. Jamadar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. The Applicants and their Counsel are absent. Heard Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. In the interest of justice, it is necessary to give one opportunity of hearing to the Applicant.
3. S.O. to 08.01.2021.

Sd/-

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

vsm

**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
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Date : 17.12.2020

O.A.No.213 of 2020

S. P. KhamkarApplicant

Versus

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

1. Heard Shri Abhijeet Kandarkar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. Today, learned P.O. for the Respondents has filed reply on behalf of the Respondent Nos.1 to 3. It is taken on record.

3. The matter is adjourned for hearing at the stage of admission with liberty to Applicant to file Rejoinder, if any.

4. S.O. to 08.01.2021.

Sd/-

(A.P. Kurhekar)
Member(J)

vsm

**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
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Date : 17.12.2020

O.A.No.1166 of 2019

Dr. A. R Patil

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri U. V. Bhosale holding for Ms S.T. Suryawanshi, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned Counsel Shri U. V. Bhosale submits that Advocate Smt. S. T. Suryawanshi is unable to attend the Tribunal due to personal difficulties and requested to adjourn the matter.

3. S.O. to 07.01.2021.

Sd/-

v-
(A.P. Kurhekar)
Member(J)

vsm

**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>17.12.2020</u></p> <p style="text-align: center;"><u>O.A 713/2020</u></p> <p>Shri U.R Rajput ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicant, who was working as Staff Nurse in Sassoon Hospital, Pune, retired on superannuation on 31.5.2020. However, learned counsel for the applicant submits that she has not been given Pension, GPF and other retirement benefits. Learned counsel further submits that she has not been given even Provisional Pension.</p> <p>3. In view of the above the Respondents are directed to give provisional pension along with arrears of provisional pension to the applicant on or before 5.1.20221 and file reply.</p> <p>4. S.O to 12.1.2021. Hamdast.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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17.12.2020

O.A 709/2020

Shri K.D Bapu ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri S.B Gaikwad, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. The applicant, who is working as a Clerk in Animal Husbandry Department in District Veterinary Polyclinic, Kolhapur prays that he be allowed to continue to work as a Dresser and he be relieved from the post of Clerk. However, his request was refused by the Respondents by order dated 2.9.2020, and therefore, applicant has filed the present Original Application

4. Learned P.O seeks time to file reply. Time granted.

5. S.O to 4.2.2020.

Sd/-

/u
**(Mridula Bhatkar J.)
Chairperson**

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application 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
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17.12.2020

O.A 734/2020

Smt M.H Gaikwad ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.

2. Applicant, who is wife of late Forest Guard prays that she be given provisional pension from December, 2019 as her husband expired on 20.2.2020 and he retired on 31.5.2019. She also be given the retirement benefits and all the dues.

3. The Respondents are directed to pay provisional pension and arrears of Provisional Pension from December, 2019 on or before 5.1.2021.

4. S.O to 5.1.2021. Hamdast.

h

Sd/-

**(Mridula Bhatkar J.)
Chairperson**

Akn

**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
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17.12.2020

O.A 746/2020

Shri S.M Bhagwat ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D Lonkar with Shri M.V Thorat, learned advocate for the applicant and Ms Swati Manchekar, learned CP.O for the Respondents.

2. The applicant, working as Additional Collector, challenges the charge sheet in the Departmental Enquiry no. 17/114/E-4 dated 18.11.2020.

3. It is submitted by learned counsel that the applicant is going to retire on 31.12.2020. He submits that he has good record throughout.

4. Learned counsel points out that the alleged imputations are of 2007 and the Departmental Enquiry notice is issued to the applicant on 18.11.2020 and there is a considerable delay. He points out that as per the case of the Respondents, some enquiry was conducted in 2015 about some officers and the report was submitted and that is to be considered as cause of this D.E as per the Respondents. Learned counsel for the applicant prays that on the ground of delay in initiating Departmental Enquiry alone, interim stay be granted to the Departmental Enquiry.

5. Learned C.P.O prays for time for instructions. Time granted till 22.12.2020 as the applicant is going to retire on 31.12.2020.

6. S.O to 22.12.2020. Hamdast granted.

Sd/-

Sd/-

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

(Mridula Bhatkar J.)
Chairperson

Akn

**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><u>17.12.2020</u></p> <p align="center"><u>O.A 728/2020</u></p> <p>Shri N.K Dalvi ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Applicant challenges the order dated 21.5.2020, dismissing him from service is to be quashed and set aside.</p> <p>3. Learned counsel submits that the said order is appealable and therefore he filed appeal on 8.6.2020 before the Collector, Nasik under Rule 17 to 21 of Maharashtra Civil Services (Discipline & Appeal) Rules, 1979. Learned counsel submits that the said appeal was required to be decided till October, 2020 and therefore he withdrew the appeal.</p> <p>4. Considering the provisions of appeal, we direct the applicant to file appeal afresh before the Appellate Authority and the Appellate Authority is directed to decide the same by 15.3.2020.</p> <p>5. Original Application stands disposed of.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p> <p>Akn</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 style="text-align: center;"><u>17.12.2020</u></p> <p style="text-align: center;"><u>O.A 726, 727 & 731/2020</u></p> <p>Shri R.A Ankalgikar [O.A 726/2020] Shri S.P Patil [O.A 727/2020] Shri M N. Kashimso [O.A 731/2020]... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. All the applicants working as Talathis were earlier working as Muster Assistants challenges the legality and validity of the order dated 8.4.2020 and also seek declaration that 1st October, 1988 or 1st June, 1990 should be considered as eligible date of absorption in Government service and accordingly consequential monetary benefits be given to them.</p> <p>3. Issue notice returnable 4.2.2021.</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 in view of this present COVID-19 Pandemic situation. 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. 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 before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice.</p> <p>7. S.O to 4.2.2021.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(P.N Dixit) (Mridula Bhatkar J.) Vice-Chairman (A) Chairperson</p>