

**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>18.08.2022</u></p> <p align="center"><u>M.A 104/2022 in O.A 373/2021</u></p> <p>Shri A.K 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 P.O is directed to file on behalf of G.A.D as to why the probation period of the applicant cannot be decided at this stage. Similarly, they are also directed to take into consideration the decision taken in the case of Mr Madavi, who was charged for the same offence and his probation period was decided favourably.</p> <p>3. S.O to 10.9.2022.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(Medha Gadgil) Member (A) Akn</p> <p align="center">(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>18.08.2022</u></p> <p align="center"><u>M.A 405/2022 in O.A 458/2022</u></p> <p>Shri P.R Chavan & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.V Shinde, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. On instructions from Mrs Archana Walzade, Under Secretary, Public Health Department, Mantralaya, Mumbai submits that the reverification of documents was done on 30.7.2022 and the Committee gave its report, wherein the applicant Mr Chavan was not able to produce the necessary documents. The said report is taken on record and marked as Exh-I.</p> <p>3. We direct the applicant to appear before the Committee at ADHS, Kolhapur and submit all the necessary documents for reverification on 25.8.2022 so that the report can be produced before this Tribunal on 29.8.2022. We also appreciate the able assistance give by Mrs Walzade, Under Secretary, Public Health Department to the Court.</p> <p>4. S.O to 29.8.2022.</p> <p>Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>Sd/-</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI
ORIGINAL APPLICATION NO.814 OF 2022**

Shri Gajanan S. Chavhan & 4 Ors. ..Applicants

Versus

The State of Maharashtra & Ors. ..Respondents

Ms. Sabiha Ansari with Ms. Aisha Shaikh – Advocates for the Applicants

Ms. S.P. Manchekar – Chief Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
Smt. Medha Gadgil, Member (A)

DATE : 18th August, 2022

ORDER

1. Heard Ms. Sabiha Ansari with Ms. Aisha Shaikh, Ld. Advocates for the Applicants and Ms. S.P. Manchekar, Ld. CPO for the Respondents.

2. All five applicants have applied for the post of Assistant Conservator of Forest (ACF) and Range Forest Officer in Revenue and Forest Department pursuant to advertisement no.4/2019 dated 8.3.2019 published by respondent no.2-MPSC. The applicants have challenged GR dated 23.12.2020 and 5.7.2021 issued by General Administration Department (GAD) being unconstitutional, arbitrary, self-contradictory and issued without authority of law. The applicants further pray that the public notice dated 12.7.2021 issued by respondent no.2 be quashed and set aside. The applicants also challenge the merit list and recommendation list dated 20.6.2022 issued by respondent no.2. It is also prayed that applicants who have applied through Economically Weaker Section (EWS) category are eligible candidates for recommendation

and not other candidates who have applied earlier in Socially and Educationally Backward Classes (SEBC) category but were allowed to migrate in EWS category and thereafter they are held eligible.

3. Ld. Advocate for the applicants submits that applicants rely and seek interim relief on the basis of the judgment and order dated 29.7.2022 passed by the Hon'ble Bombay High Court **in W.P. No.2663 of 2021 (Vikas Balwant Alase & Ors. Vs. Union of India & Ors.)** and other writ petitions and interim applications, wherein the High Court has held that migration of candidates who have applied under SEBC category to EWS category is not permissible retrospectively as per GR dated 5.7.2021 and therefore the candidates who are recommended and selected for the posts under EWS category that recommendation is to be stayed. She further submits that three candidates selected for the post of ACF are sent for training on 18.7.2022 so they are to be called back and selected seven candidates to the post of Range Forest Officer are not to be sent.

4. Ld. CPO while opposing this OA submits that result of the examination was declared on 20.6.2022 i.e. before the said judgment and order dated 29.7.2022 passed by the Hon'ble High Court. She further submits that three candidates are already under training of ACF. Moreover, there are seven other candidates whose names are recommended for the post of RFO. Those seven candidates are not made parties in this OA. She submits that Respondent-State needs time to file reply. She further submits that State is considering to challenge the said judgment and order dated 29.7.2022 passed by the Hon'ble High Court on the point of disallowing migration and giving effect retrospectively to the GR dated 5.7.2021.

5. The advertisement was issued on 8.3.2019. GR was issued on 5.7.2021 after final decision given by the Hon'ble Supreme Court on

5.5.2021 in Civil Appeal No.3123 of 2020 (Dr. Jaishri Laxman Patil Vs. The Chief Minister & Ors.) declaring SEBC reservation and the said Act is void and set aside the same. By way of GR dated 5.7.2021 the respondents allowed the candidates applied for reservation under SEBC to opt either for Open or EWS category. The Hon'ble High Court in the said judgment has referred and relied on the number of judgments of the Hon'ble Supreme Court on the point of migration and also the applicability of the rules which were in existence at the time of advertisement and the applicability of those rules which were not in existence when the advertisement was issued. It is held that the change in rules of game after advertisement is issued, is arbitrary and void and the criteria for selection cannot be altered by the authorities concerned in the middle, after the process of selection has started. The Hon'ble High Court further held "we have no hesitation in holding that the benefit extended to SEBC candidates while granting such candidates an opportunity to be considered in the EWS category at such an advanced stage of the recruitment process is arbitrary and impermissible. The advertisement had clearly spelt out the vacancy position for the various categories." Moreover, it also has pointed out that, "All concerned (SEBC candidates) were informed that the selection process would be subject to the outcome of the orders passed by the Supreme Court." Resultantly, writ petitions filed by the EWS category candidates succeeded and of the candidates from SEBC category were dismissed. We make it clear that, in the judgment the Hon'ble High Court has not held that concerned GRs are invalid but retrospective effect of the GR is held arbitrary and impermissible. However, those GRs are challenged in the present OA.

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6. In view of the judgment of the Hon'ble High Court, we grant interim relief and also give following directions:

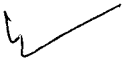
(A) Out of ten posts reserved for EWS category, three candidates are sent for training of Assistant Conservator of Forest to Dehradun from 18.7.2022. They are to be made party respondents as they are necessary parties. Their recommendation and training is subject to outcome of this OA. The applicants are directed to add those three candidates as party respondents in the array of respondents. Amendment be carried out today itself and amended copy of OA be served in the office of Ld. CPO and all others concerned.

(B) The recommendations made by MPSC for remaining seven posts of Range Forest Officer are hereby stayed till filing of the reply. Those seven candidates are also to be made party respondents in the present OA. The applicants are directed to add them as party respondents in the array of respondents. Amendment be carried out today itself and amended copy of OA be served in the office of Ld. CPO and all others concerned.

(C) We are informed by the Ld. CPO that some of the candidates out of seven recommended and selected, are already working in Government service and they are relieved for training which is going to commence on 22.8.2022. Under such circumstances all those seven candidates are to be allowed to resume their respective posts/duties from 22.8.2022 onwards.

(D) Ld. Advocate for the applicants submits that she be allowed to make General Administration Department as party respondent as GRs are issued by GAD. Amendment be carried out within one week and amended copy of OA be served in the office of Ld. CPO and all others concerned.

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



8. Issue notice before admission to respondents including added respondents returnable on 8.9.2022. The respondents are directed to file reply.

9. 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.

10. 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.

11. 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.

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

Sd/-

(Medha Gadgil)
Member (A)
18.8.2022

(Mridula Bhatkar, J.)
Chairperson
18.8.2022

Dictation taken by: S.G. Jawalkar.

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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 : 18.08.2022</p> <p>M. A. No.264 of 2021 in O.A.No.512 of 2021</p> <p>B. D. ChaubheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryawanshi, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay caused in filing O.A. wherein the Applicant claims pensionary benefits in terms of 7th Pay Commission.</p> <p>3. The Applicant stands retired on 31.12.2015 from the post of Police Constable. It is after his retirement, the Government of Maharashtra by Notification dated 30.01.2019 implemented recommendations of 7th Pay Commission w.e.f. 01.01.2016. The Applicant claims to be entitled to the benefit of 7th Pay Commission.</p> <p>4. Since, Notification of 7th Pay Commission was issued on 30.01.2019, the Applicant ought to have filed O.A. on or before 30.01.2020. However, O.A. was filed in July, 2021.</p> <p>5. The Tribunal can take note of Covid-19 pandemic situation and consequent lock down. Indeed, the Hon'ble Hon'ble Supreme Court in Suo-motu W.P. No.03/2020, dated 10.01.2022 directed that where limitation expired during the period between 15.03.2020 to 28.02.2022 notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 01.03.2022.</p> <p>6. As stated above, O.A. is filed within the period of Covid-19 pandemic situation and lockdown. Thus, the delay is of hardly seven months which needs to be condoned to decide the O.A. on merit.</p> <p>7. In view of above, the delay is condoned and M.A. is allowed with no order as to costs.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.08.2022</p> <p align="center">O.A.No.512 of 2021</p> <p>B. D. ChaubheApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryawanshi, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. has been filed with M.A.No.264/2021 for condonation of delay which is allowed today by separate order.</p> <p>3. This O.A., therefore, needs to be decided on merit. The Respondent No.4 has already filed reply in O.A.</p> <p>4. On request of learned P.O., two weeks time is granted for filing reply on behalf of remaining Respondents, if any.</p> <p>5. S.O. to 05.09.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

ORIGINAL APPLICATION NO.825 OF 2022

Shri Rakesh R. Dhaktode.)...**Applicant**

Versus

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

Mr. D.B. Khaire, Advocate for Applicant.

Mr. A.J. Chougule, Presenting Officer for Respondents.

CORAM : A.P. KURHEKAR, MEMBER-J

DATE : 18.08.2022

O R D E R

1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant has challenged the transfer order dated 11.08.2022 whereby he is transferred from the post of Executive Engineer, Raigad Irrigation Division, Kolad to Executive Engineer and Ex-Officio Under Secretary, Water Resources Department, Mantralaya, Mumbai.
3. Shri D.B. Khaire, learned Advocate for the Applicant prayed for interim relief *inter-alia* contending that the Applicant is transferred mid-term and mid-tenure without there being any special case, as contemplated under Section 4(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred to as 'Transfer Act 2005' for brevity). According to him, the reasons mentioned for his transfer in File

Amk

Noting tendered by learned P.O. cannot be considered as a special case for mid-term and mid-tenure transfer.

4. Whereas, learned Presenting Officer submits that considering administrative need, the Applicant being experienced person was required to be brought in Mantralaya and posted on vacant post with the approval of Hon'ble Chief Minister. He has further pointed out that Civil Services Board (CSB) also vetted the proposal. He tendered file for the perusal of Tribunal.
5. The perusal of file reveals that CSB vetted the proposal and the same is approved by Hon'ble Chief Minister being competent authority for mid-term and mid-tenure transfer invoking Rule 4(5) of 'Transfer Act 2005'. It is further noticed from the File Noting that out of 13 posts, 2 posts are vacant and Applicant was considered as an experienced official for completion of Project undertaken by Water Resources Department. Thus, there seems to be administrative need to avail the services of the Applicant in Mantralaya in public interest. Thus, once there is subjective satisfaction of Competent Authority, its subjectivity cannot be gone into at this stage. Though Applicant was not due for transfer, he is transferred for administrative exigencies with the approval of CSB as well as Hon'ble Chief Minister. Thus, *prima-facie*, there is compliance of provisions of 'Transfer Act 2005'. The Applicant is already relieved on 17.08.2022.
6. In view of above, I am not inclined to grant interim relief.
7. Issue notice returnable on 13th September, 2022.
8. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
9. 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.

10. 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.

11. 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.

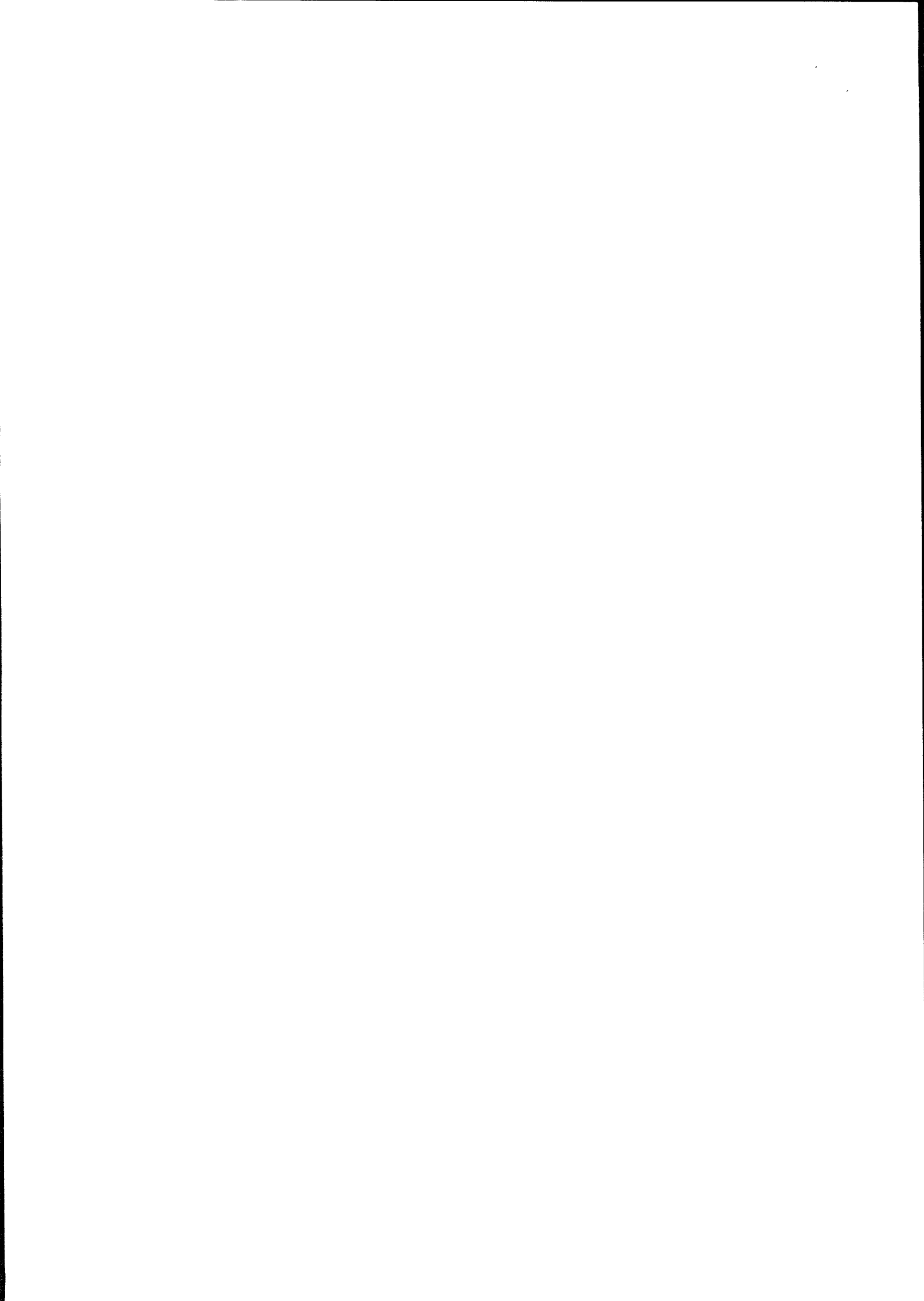
12. The service may be done by Hand Delivery/Speed Post/Courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

13. S.O. to 13th September, 2022.

Sd/-

(A.P. KURHEKAR)
Member-J

SKW



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.08.2022</p> <p align="center">O.A. No.359 of 2022</p> <p>R.K. TanpureApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate holding for Smt. P.H. Hendre, leaned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. O.A. be kept for hearing at the stage of admission.</p> <p>3. Interim relief to continue.</p> <p>4. S.O. to 08.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

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 style="text-align: center;"><u>O.A.486/2020</u></p> <p>Shri S.D. Tajane ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned P.O. for Respondents is present.</p> <p>2. In terms of order passed by the Tribunal on 11.08.2022, today learned Advocate for the Applicant has filed Additional Affidavit of the Applicant along with Annexures. It is taken on record.</p> <p>3. O.A. is adjourned for final hearing to 15.09.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 18.08.2022</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 18.08.2022</p> <p align="center">M.A. No.316 of 2021 in O.A.No.658 of 2021</p> <p>P. S. KshirsagarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryawanshi , learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. M.A. No.316/2021 is filed in O.A.658/2021 claiming deemed date of promotion for the post of PSI.</p> <p>3. When specific query is raised to learned Counsel for the Applicant, she admits that Applicant stands retired as ASI on 31.10.2018. According to her, before retirement he was temporarily promoted to the post of PSI on some occasions. It is on the basis of it, the Applicant is claiming deemed date of promotion for the post of PSI.</p> <p>4. Indeed, the issue of deemed date of promotion would arise where a Government servant is actually promoted to the said promotional post. In present case, the Applicant admittedly was never promoted as a PSI by way of regular promotion. Therefore, the question of deemed date for promotional post of PSI does not survive.</p> <p>5. Learned Counsel for the Applicant, therefore, submits that she will amend the O.A. so as to claim promotion on the post of PSI. In that event, the matter has to be heard and decided by the Division Bench,</p> <p>6. Two weeks time is granted to the Applicant to take necessary steps.</p> <p>7. S.O. to 05.09.2022.</p> <p align="right">Sd/- [P.T.O.]</p> <p align="right">(A.P. Kurhekar) Member(J)</p>

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

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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: 18.08.2022</p> <p align="center">O.A. No.747 of 2022</p> <p>V.H. Sawant,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record. 3. On instruction, learned P.O. submits that Respondent No.4 has moved ^{the} to Respondent No.3 for necessary guidance and necessary orders will be issued soon. 4. One week time is granted to take necessary steps. 5. S.O. to 25.08.2022. <p align="right">Sd/- vv (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**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 : 18.08.2022</p> <p align="center">O.A.No.621 of 2022</p> <p>M. S. SalunkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryawanshi, 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 for filing reply.</p> <p>3. S. O. to 05.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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
	<p>Date : 18.08.2022</p> <p align="center">O.A.No.604 of 2022</p> <p>S. R. NalavadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale holding for Shri R. M. Kolge, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos. 1 to 3. It is taken on record.</p> <p>3. Two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 02.09.2022.</p> <p align="right">Sd/-</p> <p align="right">(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.

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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: 18.08.2022</p> <p align="center">O.A. No.415 of 2022</p> <p>S.S. Kharatmal,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has tendered Affidavit of Joint Commissioner of Police, Mumbai in terms of order passed by the Tribunal. It is taken on record.</p> <p>3. Perusal of record reveals that the Applicant stands retired on 31.05.2020 but despite of his retirement pay and allowances were continuously paid upto Feb-2021 for nine months as if he was in service. Thus, he was paid amount of Rs.4,40,658/- (Four Lakhs Forty Thousand Six Hundred and Fifty Eight only) towards pay and allowance to which <i>prima-facie</i> he is not entitled, therefore Respondents issue notices dated 16.03.2022 & 25.03.2022 for recovery of Rs.4,40,658/- (Four Lakhs Forty Thousand Six Hundred and Fifty Eight only) which is not challenged in present O.A.</p> <p>4. In O.A. the Applicant has also prayed for direction to grant retiral benefits on the post of A.S.I. in terms of 7th Pay Commission. Respondents have filed Affidavit-in-Reply only to the extent of mistake committed by the Department in releasing pay and allowance. According to the Respondents, the said amount was released mistakenly through Savarth Online Pay system. Thus, apparently care is not been taken about the retirement of the Applicant which resulted in payment of pay and allowances for nine months. In Affidavit-in-Reply it is further stated that now Department is taking remedial measures to update system so that such mistake will not occur in future.</p>

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

5. As regard, retiral benefits on the post of A.S.I., learned P.O. submits that the Applicant stands retired on the post of Head Constable and not A.S.I. ~~This~~ ^{This} issue needs to be decided on merit. On this point, Respondents are required to file Affidavit-in-Reply by next date so that O.A. could be disposed of expeditiously.

6. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply.

7. S.O. to 29.08.2022.

Sd/-

v

(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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>18.08.2022</u></p> <p align="center"><u>O.A 428/2022 with O.A 633/2022</u></p> <p>Shri N.U Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that though now the Deputy Chief Minister is having the charge of the Home Department and at present as the Monsoon Session is going on the Deputy Chief Minister will be free after 25.8.2022.</p> <p>3. Learned P.O is directed to submit the progress in the matter.</p> <p>4. S.O to 29.8.2022.</p> <p align="right">Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p align="right">(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>18.08.2022</u></p> <p><u>C.A 22/2022 in O.A 200/2021</u></p> <p>Shri S.R Bagade & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.M Kolge, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Pursuant to the order of this Tribunal dated 12.7.2022, learned P.O submits on instructions from Shri Sunil Pable, Heard Clerk, in the office of Industries, Energy and Labour Department, that the applicant has not submitted the necessary documents.</p> <p>3. Shri S.R Nalavade, applicant is directed to sit with Shri Pable, Head Clerk in the office of Industries, Energy and Labour Department and settle the issue.</p> <p>4. S.O to 25.8.2022. Sd/-</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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..... 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;"><u>18.08.2022</u></p> <p style="text-align: center;"><u>O.A 346/2022</u></p> <p>Shri S.W Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri N.M Punjari, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that yesterday the matter was on Board. Learned P.O on the basis of instructions given by Senior Clerk from the office of District Malaria Office, Thane, states that all the posts are filled up and no posts are vacant.</p> <p>3. Learned counsel for the applicant produces a letter dated 17.8.2022 sent by Dr Mahesh Nagre, District Malaria Office, Thane to the applicant wherein it is mentioned that four posts are vacant, one each from Nomadic Tribe, E.W.S, Open-General and Open-Sports. The said letter dated 17.8.2022 is taken on record and marked as Exh.I.</p> <p>4. Learned P.O is directed to take instructions in the matter.</p> <p>5. S.O to 22.8.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">AkN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Original Application No. _____ of 20 _____ DISTRICT _____
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..... 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 : 18.08.2022</p> <p style="text-align: center;">O.A.No.725 of 2022</p> <p>S.D. Gaikwad & OrsApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere., learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate produces copy of order dated 12.08.2022 wherein the applicants are sent for training. Hence, he submits that nothing remains in the O.A.</p> <p>3. In view of above, O.A. stands disposed of.</p> <p style="display: flex; justify-content: space-between;"> Sd/- Sd/- </p> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="text-align: center;"> <p>U</p> <p>(Medha Gadgil) Member(A)</p> </div> <div style="text-align: center;"> <p>/</p> <p>(Mridula Bhatkar, J.) Chairperson</p> </div> </div> <p style="margin-top: 20px;">prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.08.2022</p> <p>O.A.No.599 of 2022</p> <p>S.G. Nandedkar & OrsApplicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. for the Respondent files affidavit-in-reply. Taken on record. Copy to be served upon learned Advocate.</p> <p>3. Adjourned to 15.09.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 18.08.2022 Tribunal's orders O.A.No.391 of 2022</p>
	<p>D.C. Ghoderao & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Respondents to file their reply on or before 14.09.2022. If reply is not file then matter will proceed without reply.</p> <p>3. Adjourned to 14.09.2022.</p> <p>Sd/- Sd/-</p> <p>(Medha Gadgil) Member(A)</p> <p>(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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

Tribunal's orders

Date : 18.08.2022

O.A.No.514 of 2022

R.A. KhatkaleApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

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

2. Learned Advocate Mr. Bandiwadkar files rejoinder. Taken on record. Copy served upon the concerned.

3. Adjourned to 14.09.2022. Interim relief to be continued till next date.

Sd/-

Sd/-

(Medha Gadgil)
Member(A)

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p style="text-align: center;">Tribunal's orders Date : 18.08.2022</p>
	<p style="text-align: center;">O.A.No.361 of 2022 with O.A.No.362 of 2022 with O.A.No.505 of 2022 with O.A.No.506 of 2022 with O.A.No.108 of 2020 with O.A.No.109 of 2020 with O.A.No.468 of 2020 with O.A.No.469 of 2020</p> <p>L.K. Shinde & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to 23.08.2022. Interim relief, if any, to be continued till next date.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.08.2022</p> <p>O.A.No.1064 of 2021</p> <p>G.M. ChaudhariApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. G.B. Solanke, learned Advocate for the Applicant and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate submits that representation dated 09.08.2021 sent to the Additional Chief Secretary, Rural Development Panchayat Raj pursuant to earlier letter dated 10.05.2021 is still pending.</p> <p>3. In O.A. he has prayed for his promotion within stipulated period. Learned Advocate submits that the Applicant has retired. He submits that he has moved this representation pertaining to promotion which may be decided.</p> <p>4. In view of the nature of prayer made herewith we direct the Respondents to decide the Applicant's representation dated 09.08.2021 on or before 13.10.2022 and communicate the same to the Applicant on or before 20.10.2022.</p> <p>5. With above directions, O.A. is hereby allowed.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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..... 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 : 18.08.2022</p> <p align="center">O.A.No.911 of 2021 with O.A.No.969 of 2021 with M.A.No.39 of 2022 with O.A.No.48 of 2020 with O.A.No.74 of 2020</p> <p>R.K. Patil & Ors. (O.A.911/2021) P.P. Bhosale & Ors. (O.A.969/2021 W M.A.39/2022) S.H. Magdum (O.A.48/2020) P.J. Jamdar (O.A.74/2020)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicants in O.A.No.911/2021, Mr. Sachin B. Thorat, learned Advocate for the Applicants in O.A.No.969/2021 w M.A.No.39/2022, Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant in O.A.No.48/2020, Mr. Yatin S. Khochare, learned Advocate for the Applicant in O.A.No.74/2020 and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate Mr. Yatin S. Khochare submits that as O.A.No.666 of 2020 pertains to the same selection process for the post of Krushi Sevak, ex-servicemen quota, it be tagged along with this group.</p> <p>3. Adjourned to 08.09.2022 at 12.30 p.m. To be shown under the caption 'Final Hearing (P.H.) along with O.A.No.666/2020.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="right">(Mridula Bhatkar, J.) Chairperson</p> <p align="left">prk</p> <p align="right">[P.T.O.]</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 : 18.08.2022</p> <p style="text-align: center;">O.A.No.1005 of 2017</p> <p>P.B. DhanawadeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. As the pleadings are complete, matter is admitted and adjourned to 15.09.2022.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil^u // Member(A) (Mridula Bhatkar, J.) Chairperson</p> <p>prk</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
	<p align="center">Date : 18.08.2022</p> <p align="center">C.A.No.10 of 2021 in O.A.No.426 of 2019</p> <p>P.D. MuleApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Despite the order of the Hon'ble High Court where the compliance was expected till 15.08.2022 the concerned officer has not complied with the order of the Tribunal and also the Hon'ble High Court.</p> <p>3. Hence, we call upon concerned Officer to remain present on 23.08.2022 without fail. We expect the immediate compliance of the order.</p> <p>4. Adjourned to 23.08.2022.</p> <p align="center">Sd/- _____ Sd/- _____</p> <p align="center">(Medha Gadgil) Member(A)</p> <p align="center">(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
	<p>Date : 18.08.2022</p> <p>C.A.No.47 of 2021 in O.A.No.280 of 2017 with O.A.No.241 of 2019</p> <p>V.V. PunathilApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. files affidavit-in-reply dated 18.08.2022 on behalf of Respondent No.1, Mr. Madhav G. Satale, working as Sub Division, Vaduj in Krishna Irrigation Division, Satara. Taken on record. Copy served upon learned Advocate for the Applicant.</p> <p>3. Learned P.O. submits that in O.A.No.280/2017 Respondents have filed Writ Petition before Hon'ble High Court bearing Stamp No.11268/2022 and in O.A.No.241/2019 the procedure is completed by the Respondent-Department and the matter is sent to the office of Accountant General on 28.04.2022. She further submits that it is mentioned in the said affidavit that though the Officer has personally visited the office of Accountant General on 20.07.2022 and Respondent has sent letter to the office of AG on 28.07.2022 no compliance is made.</p> <p>4. We directed the concerned Department to file RTI immediately on 22.08.2022 in the office of AG so that we get to know why the order is not complied with.</p> <p>5. Learned Advocate submits that the provisional pension is given upto December 2021 and on 10.08.2022 the approval orders are issued.</p> <p>6. Matter is fixed on 22.08.2022.</p> <p>Sd/- (Medha Gadgil) Member(A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

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..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 18.08.2022
	<p align="center">O.A.No.483 of 2022</p> <p>M.G. PrajapatApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. S. Suryavanshi, learned Advocate for the Applicant, Mr. A.J. Chougule, learned Presenting Officer for the Respondents and Ms. Punam Mahajan, learned Advocate for the Respondent No.7</p> <p>2. Learned P.O. files affidavit-in-reply. Taken on record. Copy served upon the concerned.</p> <p>3. Adjourned to 02.09.2022 for want of time. H.O.B. Interim relief to be continued till next date.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</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
	<p>Date : 18.08.2022</p> <p>M.A.No.294 of 2021 in O.A.No.611 of 2021</p> <p>S.V. BramheApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Suryawanshi, learned Advocate holding for Mr. V.V. Joshi, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate Ms. Suryawanshi matter is restored</p> <p>3. Adjourned to 08.09.2022. To be shown under the caption 'Due Admission'.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Date : 18.08.2022 Tribunal's orders O.A.No.361 of 2022 with O.A.No.362 of 2022</p>
	<p>L.K. ShindeApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Adjourned to 23.08.2022. Interim relief to be continued till next date.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member(A)</p> <p style="text-align: center;">Sd/- (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
	<p>Date : 18.08.2022</p> <p>M.A.No.402 of 2022 in O.A.No.662 of 2022</p> <p>T.B. GharbudveApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Mr. 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 15.09.2022.</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 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.</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 <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Misc. Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.</p> <p>8. Adjourned to 15.09.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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	<p>Date : 18.08.2022</p> <p>C.A.No.53 of 2022 in O.A.No.960 of 2021</p> <p>S.S.A.N. AliApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits tomorrow meeting of Police Establishment Board will be held and decision will be taken tomorrow itself.</p> <p>3. Adjourned to 25.08.2022.</p> <p>Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

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	<p style="text-align: center;"><u>18.08.2022</u></p> <p style="text-align: center;"><u>O.A 82/2017</u></p> <p>Dipika K Khairnar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Anjali Kolapkar i/b Shri A.S Gaikwad, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. At the request of the learned counsel for the applicant, Registry is directed to prepare the Supplementary Board.</p> <p>3. Learned counsel for the applicant submits that yesterday the matter was kept at Sr. No. 4 under the caption "For Final Hearing". Learned counsel for the applicant produces copy of the order dated 7.7.2017 passed by the Hon'ble Bombay High Court in W.P 7624/2017, Dipika K. Khairnar Vs. The State of Maharashtra & Ors. She relies on the directions given by the Hon'ble High Court in para 7 and submits that the matter to be expedited.</p> <p>4. We have perused the order, which is produced before us today. The Hon'ble High Court has observed that:-</p> <p style="text-align: center;">"the learned MAT may consider the request of the Petitioner for expeditious hearing."</p> <p>5. We are at present hearing the matters of the year 2015. Thereafter, this matter can be considered. Moreover, it was the duty of the applicant to come before this Tribunal and place this order earlier. However, it appears that the applicant was not bothered about the order which was passed in the year 2017 giving directions to the Tribunal to expedite the hearing.</p> <p>6. In view of the above, matter adjourned to 21.9.2022.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p style="text-align: center;"> (Medha Gadgil) Member (A) <small>Akn</small> </p> <p style="text-align: center;"> (Mridula Bhatkar, J.) Chairperson </p> <p style="text-align: right;"><i>[P.T.O.]</i></p>

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(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.08.2022</p> <p align="center">O.A.No.726 of 2018</p> <p>D.V. SidamApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None present for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The order of the Hon'ble High Court dated 22.06.2022 passed in Writ Petition No.7097 of 2022 was received by the Tribunal yesterday i.e. on 17.08.2022 wherein the Hon'ble High Court has given directions to decide this O.A. finally within the time which deems fit and proper. Hence, we have taken this matter on board.</p> <p>3. As applicant or learned Advocate for the Applicant is not present, matter is adjourned to 25.08.2022.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (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 data-bbox="743 886 899 917"><u>18.08.2022</u></p> <p data-bbox="878 973 1336 1009"><u>O.A 912/2015 with O.A 53/2015</u></p> <p data-bbox="743 1053 1393 1117">Shri S.G Deshpande & Ors Shri D.G Deshmukh ... Applicants</p> <p data-bbox="932 1117 971 1148">Vs.</p> <p data-bbox="743 1148 1422 1182">The State of Maharashtra & Ors ... Respondents</p> <p data-bbox="743 1208 1484 1460">1. Heard Shri A.Y Sakhare, learned Special Counsel with Shri K.R Jagdale, learned counsel for the applicants, Shri D.B Khaire, learned Special Counsel with Mrs K.S Gaikwad, learned P.O for the Respondents, Shri U.V Bhosle, learned counsel for Respondent no. 19, Shri B.A Bandiwadekar, learned counsel for Respondent no. 38 and Mrs Punam Mahajan, learned counsel for the applicant in O.A 53/2015.</p> <p data-bbox="743 1488 1484 1584">2. At the request of learned Senior Counsel Shri Sakhare, matter adjourned to 6th & 7th September, 2022.</p> <p data-bbox="743 1612 1484 1682">3. S.O to 6th & 7th September, 2022 at 2.30 pm. Part Heard.</p> <p data-bbox="850 1697 909 1733">Sd/-</p> <p data-bbox="1276 1666 1336 1702">Sd/-</p> <p data-bbox="753 1774 964 1839">(Medha Gadgil/ Member (A)</p> <p data-bbox="753 1846 790 1870">Akn</p> <p data-bbox="1166 1774 1466 1839">(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>Date : 18.08.2022</p> <p>C.A.No.53 of 2021 in O.A.No.1091 of 2017</p> <p>R.A. Shaikh & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicants and Mr. A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In view of the order of the Hon'ble High Court, matter is adjourned to 25.08.2022.</p> <p style="text-align: center;">Sd/- _____ Sd/- _____</p> <p>(Medha Gadgil) / (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.807 of 2022</u></p> <p>M.S. Shelar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, 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 22.9.2022. 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: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 18.8.2022 18.8.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.783 of 2022</u></p> <p>A.D. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.G. Panchal, 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 29.9.2022. 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: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 18.8.2022 18.8.2022</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="985 414 1260 453" style="text-align: center;"><u>O.A. No.673 of 2022</u></p> <p data-bbox="734 489 1450 556">S.V. Gurav ..Applicant Vs.</p> <p data-bbox="734 561 1484 600">The State of Maharashtra & Ors. ..Respondents</p> <p data-bbox="734 636 1515 744">Heard Shri G.B. Solanke, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p data-bbox="734 780 1515 852">2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p data-bbox="734 888 1515 960">3. Issue notice before admission returnable on 22.9.2022. The respondents are directed to file reply.</p> <p data-bbox="734 996 1515 1218">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 data-bbox="734 1254 1515 1398">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 data-bbox="734 1434 1515 1615">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 data-bbox="734 1651 1515 1872">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 data-bbox="920 1934 980 1973" style="text-align: center;">Sd/-</p> <p data-bbox="829 2011 1032 2127" style="text-align: center;">(Medha Gadgil) Member (A) 18.8.2022</p> <p data-bbox="1187 1934 1247 1973" style="text-align: center;">Sd/-</p> <p data-bbox="1096 2011 1382 2127" style="text-align: center;">(Mridula Bhatkar, J.) Chairperson 18.8.2022</p> <p data-bbox="734 2132 794 2171">(sgj)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.08.2022</p> <p style="text-align: center;">O.A.No.423 of 2017</p> <p>V.D. ZambareApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Applicant present in person. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicant in person informs that his Advocate Mr. S.B. Deshpande is not accessible to him.</p> <p>3. Adjourned to 08.09.2022. To be shown under the caption 'Due Admission'.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) (Mridula Bhatkar, J.) Member(A) Chairperson</p> <p style="text-align: left; margin-left: 20px;">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 Date : 18.08.2022
	<p align="center">M.A.No.294 of 2021 in O.A.No.611 of 2021</p> <p>S.V. BramheApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. None for the Applicant. Heard Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. M.A.No.294/2021 is filed seeking condonation of delay of 7 years and 5 months in filed in the O.A.</p> <p>3. Learned Advocate for the Applicant is continuously absent. Hence, we dismiss M.A. and O.A.</p> <p>4. Both O.A. and M.A. are dismissed for want of prosecution.</p> <p align="center">Sd/- (Medha Gadgil) Member(A)</p> <p align="center">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 : 18.08.2022</p> <p>O.A.No.790 of 2022 with O.A.No.791 of 2022</p> <p>V.L. Ghumare & Ors. (O.A.790/2022) G. Pawar & Ors. (O.A.791/2022)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. P. Avhad, learned Advocate for he Applicants and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate files affidavit-in-service. Taken on record.</p> <p>3. Learned Advocate seeks time to remove objections.</p> <p>4. Adjourned to 25.08.2022 for interim relief. Learned P.O. to file affidavit-in-reply. To be shown under the caption 'For Urgent Admission'.</p> <p>Sd/- _____ (Medha Gadgil) Member(A)</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.08.2022</p> <p align="center">O.A.No.249 of 2021 with O.A.No.250 of 2021</p> <p>Smt. M. S. Wagh R. Y. Chandramore ...Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. I. M. Koparkar, learned Counsel for the Applicants 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.</p> <p>3. S.O. to 30.08.2022.</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____

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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 : 18.08.2022</p> <p align="center">O.A.No.418 of 2022</p> <p>V. R. Mirajkar & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply as a last chance.</p> <p>3. S.O. to 05.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.08.2022</p> <p align="center">O.A.No.500 of 2022</p> <p>P. B. JagtapApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms S. T. Suryawanshi holding for Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. On request of learned P.O., one week time is granted for filing reply by ways of most last chance. 3. Interim relief to continue till next date. 4. S.O. 25.08.2022. <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 18.08.2022</p> <p>O.A.No.529 of 2022</p> <p>M. M. ThakurApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is for filing Rejoinder but the same is not filed.</p> <p>3. O.A. be kept for final hearing with liberty to file Rejoinder to file Rejoinder in the meantime.</p> <p>4. S.O. to 13.09.2022.</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____

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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 : 18.08.2022</p> <p align="center">O.A.No.535 of 2022</p> <p>Sana R. ShaikhApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., two weeks time is granted for filing reply.</p> <p>3. S.O. to 06.09.2022.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</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 : 18.08.2022</p> <p align="center">O.A.No.655 of 2022</p> <p>S. D. SarwadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri V. P. Potbhare, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondent Nos.1 and 2. It is taken on record. No separate file is filed on behalf of Respondent No.3.</p> <p>3. Two weeks time is granted to file Rejoinder.</p> <p>4. S.O. to 05.09.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 18.08.2022</p> <p align="center">O.A.No.660 of 2022</p> <p>Y. M. KokadwarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Savita Suryawanshi holding for Smt. Punam Mahajan, 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.4. It is taken on record. No separate reply is filed on behalf of Respondent Nos. 1 to 3. 3. Interim relief to continue till next date. 4. O.A. be kept for hearing at the stage of admission. 5. S.O. to 06.09.2022. <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

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Original Application No.

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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 : 18.08.2022</p> <p align="center">O.A.No.674 of 2022</p> <p>V. D. Suryawanshi ...Applicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant, Smt. Kranti Gaikwad holding for Shri A. J. Chougule, learned Presenting Officer for the Respondents and Shri U. V. Bhosale, learned Advocate for Respondent No.2.</p> <p>2. On request of learned P.O., one week time is granted for filing reply by way of most last chance.</p> <p>3. S.O. to 25.08.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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 : 18.08.2022</p> <p align="center">O.A.No.721 of 2022</p> <p>R. R. ShelkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed Affidavit in Reply on behalf of the Respondent and also filed short Affidavit on behalf of the Respondents. It is taken on record.</p> <p>3. One week time is granted for filing Rejoinder.</p> <p>4. S.O. to 25.08.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 18.08.2022</p> <p align="center">M.A. No.296 of 2022 in O.A. No.470 of 2022</p> <p>C.D. Anbhule,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. Archana B.K., learned Presenting Officer for the Respondents is present. 3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply by way of last chance. 4. S.O. to 05.09.2022. <p align="right"> ⁿ Sd/-  (A.P. Kurhekar) Member (J) </p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 18.08.2022</p> <p align="center">M.A. No.414 of 2019 in O.A. No.758 of 2019</p> <p>R.B. Bhosale & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.B. Kadam, leaned 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-Reply on behalf of Respondents in M.A. It is taken on record.</p> <p>3. S.O. to 23.08.2022.</p> <p align="right">Sd/- v v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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: 18.08.2022</p> <p align="center">M.A. No.484 of 2022 in O.A. No.801 of 2022</p> <p>V.K. Menda & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**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: 18.08.2022</p> <p align="center">O.A. No.801 of 2022</p> <p>V.K. Menda & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for grant of annual increment which was due on the next day of retirement i.e. 1st July of the concerned year.</p> <p>3. Indeed, the issue of entitlement of a Government servant to increment due on immediately next day of retirement is already decided by this Tribunal in bunch of Original Applications in the light of decision of Hon'ble Supreme Court. This being the position, Respondents will have to explain why the said benefits cannot be given to the Applicants who are similarly situated persons.</p> <p>4. One week time is given to the learned P.O. to take instructions and to apprise the Tribunal why this O.A. should not be disposed of on similar terms.</p> <p>5. S.O. to 25.08.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

**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: 18.08.2022</p> <p align="center">M.A. No.490 of 2022 in O.A. No.810 of 2022</p> <p>R.B. Gunjal & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

[P.T.O.]

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

Tribunal's orders

Date: 18.08.2022

O.A. No.810 of 2022

R.B. Gunjal & Ors.,Applicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. The Applicant has challenged suspension order dated 12.03.2021 whereby he was suspended in contemplation of D.E. to be initiated under Rule 8 of M.C.S. (Discipline & Appeal) Rules, 1979.

3. The perusal of record reveals that D.E. was initiated by charge-sheet dated 15.07.2021 which was after the period of 90 days from the date of retirement.

4. In view of above, *prima-facie* continuation of suspension beyond 90 days is in contravention of Hon'ble Supreme Court in **(2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.)**

5. Learned Advocate for the Applicant submit that neither review is taken nor D.E. is expedited and matter is kept in cold storage without their being any progress in D.E. He therefore prayed for immediate reinstatement of the Applicants.

6. In view of above, learned P.O. is directed to take instruction as to why the Applicants should not be reinstated immediately and how prolong suspension is permissible. She sought time till Monday i.e. 22.08.2022.

7. S.O. to 22.08.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

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

Tribunal's orders

Date: 18.08.2022

O.A. No.806 of 2022

D.D. Harale,Applicant
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 challenged order dated 20.07.2022 whereby period of suspension from 28.02.2012 to 12.11.2013 has been treated suspension as such.
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 14.09.2022.
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 14.09.2022.

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: 18.08.2022</p> <p align="center">O.A. No.797 of 2022</p> <p>S.R. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondents. It is taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 25.08.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Date: 18.08.2022

M.A. No.463 of 2022 in O.A. No.767 of 2022

R.P. GageApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Sonali Pawar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. This M.A. is filed for condonation of delay caused in filing O.A. for grant of Deemed Date of Promotion.

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

4. Issue notice in M.A. before admission returnable on 16.09.2022.

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 16.09.2022.

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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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: 18.08.2022</p> <p align="center">O.A. No.768 of 2022</p> <p>K.L. VartakApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. Salunke, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. In the present O.A the Applicant has challenged order dated 16.09.2021 and 20.09.2021. He also prayed for the direction to refund sum of Rs.4,36,706/- (Rupees Four Lakhs Thirty Six Thousand Seven Hundred and Six Only) recovered from his Gratuity towards alleged excess payment made to him during the period of service. 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 15.09.2022. 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 to the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

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

Tribunal's orders

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 15.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**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
	<p>Date: 18.08.2022</p> <p align="center">O.A. No.798 of 2022</p> <p>A.B. LondheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The Applicant has filed present O.A. for declaration that recovery of Rs.6,79,485/-(Rupees Six Lakhs Seventy Nine Thousand Four Hundred and Eighty Five Only) from retiral benefits is bad in law and further sought direction to the Respondents to refund the said amount with interest. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 12.09.2022. 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. <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

8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

9. S.O. to 12.09.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

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