

**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><b>Date: 18.10.2022</b></p> <p align="center"><b>O.A. No.821 of 2021</b></p> <p><b>P.J. Jadhav</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed along with M.A. No.446/2021 which is allowed today by order passed in M.A. No.446/2021.</p> <p>3. Since, notices are already issued to the Respondents in M.A. No.446/2021, issuance of notices in this O.A. is dispensed with.</p> <p>4. Three weeks time is granted to file Affidavit-in-Reply in O.A. No.821/2021.</p> <p>5. S.O. to 15.11.2022.</p> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 18.10.2022</b></p> <p align="center"><b>M.A. No.446 of 2021 in O.A. No.821 of 2021</b></p> <p><b>P.J. Jadhav</b> .....<b>Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....<b>Respondents.</b></p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for condonation of delay of four years caused in filing O.A. No.821/2021 wherein the Applicant is challenging order dated 24.10.2016.</p> <p>3. Learned Advocate for the Applicant submits that the Applicant has not been served with the order dated 24.10.2016 and for the first time it was tendered by the Respondent in O.A. No.46/2020 which has been filed challenging recovery order dated 19.12.2019. She therefore prayed to condone the delay.</p> <p>4. Learned P.O. opposed the Application stating that in impugned order dated 19.12.2019 itself there is reference about the order dated 24.10.2016, and therefore it can't be said that the Applicant was unaware of the order dated 19.10.2019.</p> <p>5. When O.A. No.46/2020 was taken up for hearing that time when the order dated 24.10.2016 was placed on record by Respondent, the Applicant's counsel made statement that she intends to challenge the same by filing another O.A. along with M.A. for condonation of delay. It is on this background M.A. No.446/2021 with O.A. is filed.</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p>6. Though there is reference of order dated 24.10.2016 in order dated 19.12.2019 which is challenged in O.A. No.46/2022 there is no record of the services of letter dated 24.10.2016 to the Applicant. Material to note, that by this letter the period from 09.03.1994 to 09.05.2000 was treated unauthorized absence and interruption in services. Thus the fact remains that there is no services of the order dated 24.10.2016 wherein it is stated that period from 09.03.1994 to 09.05.2000 is treated as unauthorized absence and interruption in services. Needles to mention this has evil consequence since it entails in forfeiture of earlier service.</p> <p>7. The Applicant already stands retired from Government services, now intend to challenge order dated 24.10.2016 which is admittedly not served upon the Applicant. The said order was produced for the first time in O.A. No.46/2020 along with Affidavit-in-Reply.</p> <p>8. In view of above, I am inclined to condone delay caused in filing O.A. No.821/2021 so as to decide O.A. on merit particularly when it relates to recovery and retiral benefits of retired Government servant.</p> <p>9. M.A. No.446/2021 in O.A. No.821/2021 is accordingly allowed with no order as to costs.</p> <p style="text-align: right;">Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATION NO.1050 OF 2022**

Shri D.D. Pardeshi. )...**Applicant**

**Versus**

1. The State of Maharashtra & Anr. )...**Respondents**

**Mr. A.V. Bandiwadekar, Advocate for Applicant.**

**Smt. A.B. Kololgi, Presenting Officer for Respondent No.1.**

**Mr. K.R. Jagdale, Advocate for Respondent No.2.**

**CORAM : A.P. KURHEKAR, MEMBER-J**

**DATE : 18.10.2022**

**ORDER**

1. The Applicant has challenged the order dated 17.10.2022 whereby in his place, Respondent No.1 has posted Respondent No.2 Shri Vilas H. More without issuing the order of transfer of the Applicant and sought interim relief.

2. The Applicant is serving in the cadre of Executive Engineer. By order dated 23.06.2022, he was transferred from Pune and posted as Executive Engineer, Maharashtra Road Development Authority, Solapur (MRDA). Accordingly, he joined there. He has three years' tenure in the said post in terms of provisions of 'Transfer Act 2005'.

3. The perusal of record reveals that Respondent No.2 was posted at Solapur and had already spent 7 years in Solapur District as Executive Engineer. Then again Respondent No.1 by order dated 25.07.2022

*Subin*

transferred him from the post of Executive Engineer, P.W.D, Solapur to Zilla Parishad, Solapur. However, again Respondent No.2 requested for change of posting and on his request, his transfer order dated 25.07.2022 is modified and by order dated 17.10.2022, he is posted as Executive Engineer in place of Applicant as Executive Engineer, M.R.D.A, Solapur. Thus, within two months, Respondent No.2's posting order was modified and he is posted in place of Applicant. As a consequent to it, the Applicant is displaced from his position.

4. Shri K.R. Jagdale, learned Advocate for Respondent No.2 submits that his client has already taken charge of the post of Applicant, and therefore, the question of interim relief does not survive.

5. The learned Presenting Officer has tendered file for the perusal of Tribunal which makes startling revelation.

6. The perusal of file tendered by learned Presenting Officer reveals that Respondent No.2 though not due for transfer from the present post, he secured recommendations of Shahaji Bapu Patil, MLA, Sangola and Shri Tanajirao Sawant, MLA, Paranda and on that basis made representation for his transfer in place of Applicant at Solapur. Accordingly, Section Officer made note and the file moved through Secretary, Additional Chief Secretary upto Hon'ble Chief Minister. In note, it is stated that the proposal for transfer of Respondent No.2 is being made for the vetting of Civil Services Board through circulation and approval of Competent Authority. It is accordingly approved by Secretary, Additional Chief Secretary and Hon'ble Chief Minister. Thus, the sole ground to transfer Respondent No.2 in place of Applicant is the request of Respondent No.2 and no other reason is mentioned as to why Applicant is displaced from his present post.

7. Notably, there was no proposal for the transfer of Applicant and only to accept the request of Respondent No.2, the Applicant is displaced

within two months. Thus, *ex-facie*, an attempt has been made to displace Respondent No.2 only to favour the Applicant. Thus, neither there is special case nor administrative exigency so as to displace the Applicant mid-term and mid-tenure, but only to favour Respondent No.2, the Government displaced him which is in blatant contravention of the provisions, particularly Section 4(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005'. The Applicant is entitled to 3 years' tenure in the present post and it is only in case of administrative exigency or special case, as contemplated under Section 4(5) of 'Transfer Act 2005', he could be displaced. However, in the present case, astonishingly, Applicant is displaced for extraneous reasons and only to favour Respondent No.2. There is specific mention in file noting about the recommendations made for the transfer of Respondent No.2 which is indeed frowned upon by Hon'ble High Court in ***Writ Petition No.8987/2018 [Balasaheb V. Tidke Vs. The State of Maharashtra] decided on 12.12.2018***, in which the then Chief Secretary had filed Affidavit that the process of transfer at the level of Government will not be influenced by any recommendation made by any political leaders or Ministers who are not part of the process of transfer. Despite filing of Affidavit before Hon'ble High Court, again an attempt has been made to transfer a Government servant only on influence of some politicians, which is *prima-facie* contempt of the order of Hon'ble High Court of which Respondent No.1 is required to take serious note.

8. In view of above, it is manifest that Applicant is being transferred only to accommodate the Respondent No.2 and it is in blatant violation of the provisions of 'Transfer Act 2005'. Such attempt by the executive to circumvent the provisions of 'Transfer Act 2005' cannot be countenanced in law. Rather, it needs to be deprecated sternly.

9. Only because Respondent No.2 has taken charge in haste, that would not be hurdle in granting interim relief when *ex-facie* transfer

Amr

order of Respondent No.2 in place of Applicant is in total disregard of the provisions of law. The transfer order has been issued yesterday only and today, Respondent No.2 is shown taken charge. This again shows undue haste on the part of Respondents to accommodate Respondent No.2 and nothing else.

10. In view of above, the order dated 17.10.2022 is liable to be stayed. Accordingly, it is stayed and Respondents are directed to allow the Applicant to work on present post.

11. Issue notice made returnable on 22<sup>nd</sup> November, 2022.

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

13. 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.

14. 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.

15. 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.

16. 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.

17. S.O. to 22<sup>nd</sup> November, 2022.

Sd/-  
✓  
**(A.P. KURHEKAR)**  
**Member-J**

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
	<p align="center"><b>Date: 17.10.2022</b></p> <p align="center"><b>O.A. No.828 of 2021</b></p> <p><i>W</i> A.K. Chauhan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed for seeking direction to the Respondent to relieve the Applicant in terms of his promotion order dated 28.04.2021.</p> <p>3. Indeed, when this O.A. was taken up for hearing along with one connected O.A. No.826/2021, it was noticed that 530 Police Personnel were promoted to the post A.P.I. However, in clause 5 of promotion order it is sated that were Police Personnel are suspended or undergoing punishment or against whom D.E. are pending they should not be relieved in terms of promotion order and their information be sent to the office of Director General of Police for further action.</p> <p>4. In view of above, Tribunal by order dated 25.10.2021 directed Director General of Police to explain how promotion orders are issued without verifying the factual aspects of D.E., Punishment etc.</p> <p>5. Director General of Police filed Affidavit stating that D.E. has been already initiated against the Applicant and having noticed it by order dated 29.06.2021 direction were given not to relieve the Applicant.</p>

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p>6. Later by order dated 06.12.2021 punishment of withdrawing one increment with cumulative effect for one year has been imposed.</p> <p>7. Today, learned P.O. has tendered order passed by Director General of Police dated 16.12.2021 stating that order of promotion of Applicant has been cancelled. Order is taken on record and marked by letter 'X' for identification.</p> <p>8. Thus promotion order dated 28.04.2021 itself is now cancelled therefore question of direction to relieve the Applicant does not survives. O.A. has become infructuous.</p> <p>9. O.A. is therefore disposed of with no order as to costs.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p>O.A.No.660 of 2022</p> <p>Y. M. Kokadwar .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, the matter is adjourned for final hearing.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O. to 11.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No.

of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p align="center"><b>O.A.No.637 of 2022</b></p> <p>A. B. Sonake <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today, the matter is for hearing at the stage of admission. The Respondents have already filed Affidavit in Reply but today, learned P.O. again tendered additional Affidavit with annexures stating that it is necessary for proper adjudication of the matter.</p> <p>3. Allowed to file the same so as to decide the issue on merit.</p> <p>4. The matter is adjourned for final hearing.</p> <p>5. S.O. to 15.11.2022.</p> <p align="right">Sd/- WV ✓ <b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p align="center">O.A.No.795 of 2021</p> <p>K. U. Nirbhavane <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. The Applicant and his Counsel are absent. Smt. Archana B. K., learned Presenting Officer for the Respondents is present.</p> <p>2. The matter is adjourned for dismissal of order.</p> <p>3. S.O.to 18.11.2022.</p> <p align="right">             Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member(J)</b> </p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p align="center">O.A.No.269 of 2022</p> <p>M. G. Jadhav <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present.</p> <p>2. Though waited up to 4.30 PM, the Applicant and his Counsel do not turn up. They seem not interested in the matter.</p> <p>3. Hence, O.A. is dismissed in default.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p align="center"><b>O.A.No.418 of 2022</b></p> <p>V. R. Mirajkar &amp; Ors. ....Applicants</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant, short time is granted for hearing.</p> <p>3. S.O. to 07.11.2022.</p> <p align="right">           ↘            Sd/-            ✓  <b>(A.P. Kurhekar)</b>  <b>Member(J)</b> </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 Date: 18.10.2022
	<p align="center"><b>O.A. No.1030 of 2022</b></p> <p><b>M.M. Ghevade</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Ms Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant is seeking direction to Respondent No.2 to relieve him.</li> <li>3. This is the only prayer in O.A.</li> <li>4. The perusal of record reveals that the Applicant made request for transfer to Kolhapur. However, there is no such acceptance by the Kolhapur office to get him join nor there is order accepting the transfer request.</li> <li>5. That apart, learned P.O. on instruction submits that earlier request made by the Applicant for transfer to Kolhapur is already rejected by order dated 16.12.2021, and therefore question of entertaining O.A. simpliciter for relieving is not maintainable.</li> <li>6. The Applicant has not challenged order dated 16.12.2021 in this O.A. and simply praying for direction to relieve. When these aspects are brought to the notice of learned Advocate for the Applicant she sought permission to withdraw O.A. with liberty to file fresh O.A.</li> <li>7. Allowed to withdraw O.A. with liberty to file fresh O.A. if permissible in law.</li> </ol> <p align="right">Sd/- <b>(A.P. Kurhekar)</b> Member (J) [P.T.O.]</p>



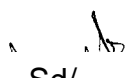
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p align="center">O.A. No.780 of 2021</p> <p>A.K. Jadhav .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. Enough time is granted to file Affidavit-in-Reply but the same is not filed.</li> <li>3. Hence, I am not inclined to grant further time.</li> <li>4. O.A. be kept for hearing without Reply.</li> <li>5. S.O. to 18.11.2022.</li> </ol> <p align="right">   Sd/-  W*  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b> </p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p align="center">O.A.No.101 of 2022</p> <p>S. T. Ghawali <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></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 previous date, the Joint Commissioner, State Tax, Mumbai has been added as Respondent No.2. Learned P.O. submits that she is appearing on behalf of newly added Respondent and sought two weeks time to file reply.</p> <p>B. S.O. to 15.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p align="center">O.A.No.1174 of 2019</p> <p>V. V. Panse <span style="float:right">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <p>1. Heard Shri M. B. Kadam holding for Ms Savita Suryavashi, 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 reply to amendment made in O.A. but no reply is filed.</p> <p>3. O.A. be kept for hearing.</p> <p>4. S.O. to 11.11.2022.</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\_\_\_\_

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 : 18.10.2022</p> <p align="center">O.A.No.473 of 2022</p> <p>D. D. Harale <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></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 Counsel for the Applicant, the matter is adjourned to 07.11.2022 so as to decide the issue involved in the matter with connected matter.</p> <p>3. S.O. to 07.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

Tribunal's orders

Date: 18.10.2022

O.A. No.356 of 2022

R.S. Kore through legal heirs Smt. S.R.  
Kore & Shri A.R. Kore .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.
2. In terms of order passed by the Tribunal on 29.09.2022 and 13.10.2022 learned P.O. today has filed Affidavit of the Commissioner, State Excise, Mumbai. It is taken on record. In Affidavit it is stated that now steps are being taken to release retiral benefits of the Applicant. In Affidavit some explanation is given about G.P.F., G.I.S., and Medical Reimbursement which seems to be under process, there is no reference of leave encashment in the Affidavit. However, learned P.O. on instruction submits that once the pay verification unit is done, further steps will be taken to release leave encashment and other benefits.
3. Government servant died on 06.09.2020 but till date some of the retiral benefits are not paid which shows total indifferent attitude and insensitivity on the part of the Respondents. Respondents should take note of it and ensure release of retiral benefits i.e. leave encashment, G.P.F., G.I.S. and Medical Reimbursement within two weeks from today without fail. The Commissioner, State Excise, Mumbai shall file fresh Affidavit about the steps taken by him on next date.

4. S.O. to 14.11.2022.

Sd/-

(A.P. Kurhekar)  
Member (J)

NMN

**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><b>Date: 18.10.2022</b></p> <p align="center"><b>O.A. No.961 of 2022</b></p> <p><b>J.R. Solanki .....Applicant</b>  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is seeking direction to the Respondents for appointment on the post of Sweeper in terms of recommendation of Lad Page Committee and G.R. dated 10.11.2015. She applied for appointment on 18.01.2008 in view of death of her father. Her father died on 17.05.2007. However, no appointment was given for long time. In the mean time, the Applicant crossed 45 years of age. In terms of scheme, upper age limit is 45 years. However, Government by order dated 01.08.2022 relaxed condition of age as a special case for seven candidates including the Applicant.</p> <p>3. When the matter was taken up for admission, learned P.O. was directed to take instruction from Dean, Sir J.J. Group of Hospitals as to why the Applicant is not appointed in terms of Lad Page Committee recommendation.</p> <p>4. Today, learned P.O. has filed short Affidavit of Shri Yurraj M. Sonawane, O.S.D. in the office of Dean, Sir J.J. Group of Hospitals, Mumbai.</p> <p>5. In Affidavit it is stated that there is no vacancies in the cadre of Sweeper. However, in Para 4 it is stated that 5/6 vacancies will occur within a month and thereafter it will be convenient to appoint the Applicant.</p> <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Para 4 is material which is as under:- "4. I say and submit that proposal for promotion to this post are also submitted to the Hon'ble Commissioner's office have arrived, so it is likely that these 5 to 6 regular Sweeper employees will purely get vacant within month, and thereafter, it will be convenient to appoint Smt. Jyoti Ratilal Solanki. Therefore, it is humbly requested that in the said case a period of FOUR WEEKS should be granted for filing Additional Affidavit as per O.A. or for compliance of the prayer made by the applicant."</p> <p>7. In view of above, O.A. is disposed of with direction to the Respondents to take necessary steps within a month and the decision be communicated to the Applicant.</p> <p>8. No order as to costs.</p> <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

IN

Original Application No. of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p>O.A. No.1031 of 2022</p> <p>A.M. Suryawansh .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Ms Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant stands retired as Education Officer (Primary), Zilla Parishad on 31.05.2022. That time D.E. was pending against him. <i>5012 by</i></li> <li>3. Government by order dated 25.07.2019 imposed punishment of reduction of 10% per month for one year.</li> <li>4. In view of the punishment order dated 25.07.2019 Respondents were supposed to release retiral benefits but those seems to have been withheld.</li> <li>5. Learned P.O. on instructions submits that proposal was forwarded to A.G. who raised certain objections and now steps are being taken to comply objections.</li> <li>6. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</li> <li>7. Issue notice before admission returnable on 09.11.2022.</li> </ol>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>9. 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>10. 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>11. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>12. Hearing of the O.A. is expedited.</p> <p>13. S.O. to 09.11.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</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.1034 of 2022</u></p> <p>M.G. Murudkar ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Ganesh Masurkar holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 29.11.2022. 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 <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 18.10.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.965 of 2022</u></p> <p>D.J. Patil &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicants adjourned to 20.10.2022.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 18.10.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.364 of 2021</u></p> <p>R.G. Kadam &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicants.</p> <p>2. Matter is called out. Ld. Advocate for the Applicants is not present.</p> <p>3. S.O. to 14.11.2022.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 18.10.2022</p> <p>(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><b>Date : 18.10.2022</b></p> <p><b>O.A.No.795 of 2022</b></p> <p>B.B. Thite .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. U.V. Bhosale, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that reply will be filed during the course of the day.</p> <p>3. Adjourned to 15.11.2022 for rejoinder.</p> <p style="text-align: right;">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><b>Date : 18.10.2022</b></p> <p><b>O.A.No.656 of 2022</b></p> <p>G.A. Pethe .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that reply will be filed during the course of the day.</p> <p>3. Adjourned to 29.11.2022.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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><b>Date : 18.10.2022</b></p> <p><b>O.A.No. 891 of 2022</b></p> <p>K.S.A.H. Shaikh .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Amruta Kharade, learned Advocate holding for M/S. Talekar &amp; Assoc. learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. files reply.</p> <p>3. Adjourned to 29.11.2022 for rejoinder. Interim relief to be continued till next date.</p> <p style="text-align: right;">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><b>Date : 18.10.2022</b></p> <p><b>O.A.No.631 of 2022 with O.A.No.451 of 2022</b></p> <p>P.V. Topale (O.A.631/2022) H.R. Gangurde (O.A.451/2022) .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.S. Dere, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that in O.A.No.451/2022 reply will be filed during the course of the day and in O.A.No.631/2022 no instructions are received.</p> <p>3. Respondents in O.A.No.631/2022 are directed to file reply within three weeks.</p> <p>4. Adjourned to 11.11.2022.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p style="text-align: center;">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 : 18.10.2022</p> <p align="center"><b>C.A.No.8 of 2021 in O.A.No.848 of 2018 with M.A.No.344 of 2020</b></p> <p>R.S. Salunkhe &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. I am informed that the Original Applicants in O.A.No.848/2018 have challenged the order passed by this Tribunal allowing intervention application by filing M.A.No.344/2020.</p> <p>3. Learned C.PO. submits that in view of the order passed in O.A.No.1024/2022 and O.A.No.763/2022 passed in O.A.No.848/2018 cannot be implemented. She further submits that the order passed by the Tribunal in C.A.No.8/2021 and M.A.No.344/2020 is challenged before the Hon'ble High Court.</p> <p>4. Adjourned to 29.11.2022.</p> <p align="right">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.....)

<p><b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b></p>	<p><b>Date : 18.10.2022 Tribunal's orders M.A.No.600 of 2022 in O.A.No.1024 of 2022</b></p>
	<p>Y.A. Ahire &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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 : 18.10.2022</p> <p><b>M.A.No.499 of 2022 in O.A.No.31 of 2022</b></p> <p>Y.B. Wagh .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. None for the Applicant. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. submits that today reply will be filed.</p> <p>3. Adjourned to 15.11.2022. Interim relief to be continued till next date.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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><b>Date : 18.10.2022</b></p> <p><b>O.A.No.572 of 2022</b></p> <p>A.S. More .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Adjourned to 15.11.2022 under the caption 'Due Admission'.</p> <p style="text-align: right;">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><b><u>18.10.2022</u></b></p> <p><b>M.A 227/2022 in O.A 935/2021 (Nagpur) &amp; O.A 36/2021 (Aurangabad)</b></p> <p>The State of Maharashtra &amp; Ors ... Applicants (Ori Respondents)</p> <p style="text-align: center;">Vs.</p> <p>Arvind Parmeshwar Lokhande &amp; Ors... Respondents (Ori Applicants)</p> <p>1. Heard Ms Swati Manchekar, learned advocate C.P.O for the Applicants (Ori Respondents) and Shri M.D Lonkar, learned counsel for the Respondents (Ori Applicants).</p> <p>2. Learned C.P.O submits that O.A Nos 930, 1146 and 1147/2021 from Nagpur Bench and O.A Nos 36, 492 and 587/2021 from Aurangabad Bench are to be transferred to the Principal Bench at Mumbai and heard along with O.A 1056/2020, 140, 147 &amp; 163/2021 as the issues involved in all these matters are similar.</p> <p>3. Learned C.P.O submits that O.A 940, 858 &amp; 977/2021 from Nagpur Bench is already decided and in the remaining matters there is objection from the learned counsel for the applicants for transferring the matter to the Principal Bench at Mumbai. Therefore, learned C.P.O does not press for transfer of matters from Nagpur Bench to Mumbai Bench.</p> <p>4. Learned counsel for the applicant in O.A 36/2021 submits that the said Original Application is already transferred pursuant to the order dated 13.9.2022. Learned counsel for the applicants in O.A 492 &amp; 587/2021 are not available.</p> <p>5. Registry is directed to serve notice to the applicants and the learned counsel on record returnable on 16.11.2022.</p> <p>6. M.A 227/2022 to be heard on 16.11.2022.</p> <p>7. O.A 36/2022 to be tagged and heard along with O.A 1024/2022, O.A 763/2022 with C.A 08/2021 in O.A 848/2018 with M.A 344/2020 on 29.11.2022.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.)</b> Chairperson [P.T.O.</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><b><u>18.10.2022</u></b></p> <p><b><u>C.A 67/2022 in O.A 76/2022</u></b></p> <p>Shri B.K Narale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Y.B Lengare, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. The Under Secretary, Irrigation Department, Mantralaya, Mumbai is directed to remain present before this Tribunal on 19.10.2022 and state about the compliance of the order of this Tribunal 21.7.2022.</p> <p>3. S.O to 19.10.2022.</p> <p style="text-align: right;">Sd/- / <b>(Mridula Bhatkar, J.) Chairperson</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b><u>18.10.2022</u></b></p> <p align="center"><b><u>M.A 613/2022 in O.A 280/2022</u></b></p> <p>Shri G.G Das Daga &amp; Ors ... Applicants Vs. M.P.S.C &amp; Ors ... Respondents And Ashok A. Laddha &amp; Ors ...Intervenors/ Applicants</p> <p>1. Heard Dr Gunratan Sadavarte, learned advocate for the applicants/Intervenors and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel submits that he has filed the present Misc Application for impleading three persons as Party-Applicants in O.A 280/2022.</p> <p>3. The applicants in O.A 280/2022 are present and express that they have no objection in adding the intervenors as applicants in the Original Application. However, it is necessary for the learned counsel representing the applicants to give No Objection.</p> <p>3. It is to be noted that in the same O.A 280/2022 by order dated 12.9.2022, Misc Application for intervention was allowed, by which the learned counsel for the applicants were directed to add the intervenors as Party-Respondents 9 to 22. Mr Lonkar, learned counsel for the intervenors submits that the learned counsel for the applicants has not carried out the amendment and served copy of the amended O.A.</p> <p>4. In view of the above, matter stands adjourned to 15.11.2022.</p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>Akn</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><b>Date : 18.10.2022</b></p> <p><b>O.A.No.348 of 2022</b></p> <p>K.J. Chhoriya .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Admit. To be tagged along with similar O.A..</p> <p>3. Adjourned to 07.11.2022.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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><b>Date : 18.10.2022</b></p> <p><b>O.A.No.753 of 2019</b></p> <p>B.V. Lamkhade &amp; Ors .....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. V.H. Shedar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Respondents to file affidavit-in-reply by next date, otherwise matter will proceed without reply.</p> <p>3. Adjourned to 22.11.2022.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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><b>Date : 18.10.2022</b></p> <p align="center"><b>M.A.No.611 of 2022 in O.A.No.329 of 2022</b></p> <p>D.P. Deore .....Applicant Vs. The State of Maharashtra &amp; 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. M.A. is filed seeking amendment as per schedule I and II in O.A.No.329/2022.</p> <p>3. Amendment to be carried out till 20.10.2022. Amended copy to be served on M.P.S.C. and concerned Respondents forthwith.</p> <p>4. Considering the amendment. Also taking into account paragraph 5 of the order dated 14.10.2022 passed in O.A.No.329/2022, M.A. is allowed.</p> <p>5. O.A.No.329/2022 is Adjourned to 15.11.2022.</p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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 : 18.10.2022</p> <p align="center"><b>M.A.No.595 of 2021 in O.A.No.1054 of 2021</b></p> <p>S.N. Rotellu .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. S.A. Inamdar, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. M.A. is filed seeking condonation of delay of 6 yeas and 9 months for challenging the termination order dated 07.03.2015. O.A. is filed on 16.12.2021.</p> <p>3. Adjourned to 20.10.2022. P.H. for hearing at 10.30 a.m.</p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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><b>Date : 18.10.2022</b></p> <p><b>M.A.No.638 of 2018 in O.A.No.887 of 2018</b></p> <p>J.R. Bankapure .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Rcspondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of learned Advocate adjourned to 22.11.2022.</p> <p style="text-align: right;">Sd/- <b>(Mridula Bhatkar, J.) Chairperson</b></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 Date : 18.10.2022
	<p align="center"><b>O.A.No.1024 of 2022</b></p> <p>Y.A. Ahire &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicants 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 29.11.2022.</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 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 align="right">✓</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<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 Original 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. Learned Advocate Mr. Bandiwadekar submits that the facts in the O.A.No.1024/2022 are similar to O.A.No.763/2022. He submits that due to order passed in O.A.No.848/2018, 85 persons were served with notice of reversion. Learned Advocate Mr. Bandiwadekar submits that he represents 44 persons, out of those 85 Civil servants who are going to be affected in view of the order passed by this Tribunal in O.A.No.848/2018. Thus, O.A.No.1024/2022 and O.A.No.763/2022 are filed by the affected Civil Servants due to the implementation of order passed in O.A.No.848/2018.</p> <p>9. Learned Advocate Mr. Bandiwadekar submits that in O.A.No.763/2022 this Tribunal had given protection to those applicants. The present applicants are similarly placed and therefore the same protection is given to the present applicants that no action of reversion is to be implemented pursuant to the show cause notice.</p> <p>10. In view of the above, the issue involved in C.A.No.8/2021 and O.A.No.1024/2022 &amp; O.A.No.763/2022 are interconnected and therefore all the matters are required to be heard together.</p> <p>11. Adjourned to 29.11.2022.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>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
	<p align="center"><u>O.A. No.965 of 2022</u></p> <p>D.J. Patil &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. At the request of Ld. Advocate for the applicants adjourned to 20.10.2022.</p> <p align="right">Sd/-  / (Mridula Bhatkar, J.) Chairperson 18.10.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.364 of 2021</u></p> <p>R.G. Kadam &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicants.</p> <p>2. Matter is called out. Ld. Advocate for the Applicants is not present.</p> <p>3. S.O. to 14.11.2022.</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson 18.10.2022</p> <p>(sgj)</p>



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

Tribunal's orders

O.A. No.1034 of 2022

M.G. Murudkar ..Applicant  
Vs.  
The State of Maharashtra & Ors. ..Respondents

Heard Shri Ganesh Masurkar holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 29.11.2022. The respondents are directed to file reply.

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.

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. 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.

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.

Sd/-

/  
(Mridula Bhatkar, J.)  
Chairperson  
18.10.2022

(sgj)

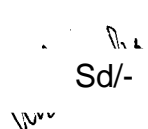
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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: 18.10.2022</p> <p align="center">O.A. No.822 of 2022</p> <p>S.N. Mahajan .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that Affidavit-in-Rejoinder will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 22.11.2022.</p> <p align="right">   Sd/-  <b>(A.P. Kurhekar)</b>  Member (J) </p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p align="center"><b>O.A. No.800 of 2022</b></p> <p>R.A. Bhalerao .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents and Jr. Advocate holding for Shri S. Shaikh, learned Advocate for the Respondent No.2 &amp; 4.</li> <li>2. Leaned P.O. submits that Affidavit-in-Reply is under preparation and the same will be filed during the course of the day and latest by tomorrow. Statement is accepted. It be taken on record if filed by tomorrow, otherwise it will not be accepted.</li> <li>3. Learned Advocate for the Applicant has already filed Affidavit-in-Rejoinder in Registry but it is not placed on record in the O.A. Office is directed to find out Affidavit-in-Reply filed by the Respondent Nos.2 &amp; 4 and be paginated in this O.A.</li> <li>4. O.A. be kept for hearing at the stage of admission.</li> <li>5. S.O. to 22.11.2022.</li> </ol> <p align="right">Sd/- v~ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p align="center">M.A. No.461 of 2022 in O.A. No.554 of 2022</p> <p>Dr. P.P. Gaikwad .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Applicant and his Advocate both are absent.</li> <li>2. Shri J.S. Deshmukh, learned Advocate for the Applicant has sent his leave note.</li> <li>3. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present.</li> <li>4. Since, enough time is granted, I am not inclined to grant further time to file Affidavit-in-Reply.</li> <li>5. M.A. be kept for hearing without Reply.</li> <li>6. S.O. to 14.11.2022.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>

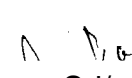
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p align="center">M.A. No.610 of 2022 in O.A. No.182 of 2022</p> <p>A.E. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri V.P. Potbhare, learned Advocate 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 in pending O.A.</p> <p>3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply to M.A.</p> <p>4. S.O. to 15.11.2022.</p> <p align="right">             Sd/-            W-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b> </p> <p align="center">NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 18.10.2022</b></p> <p align="center"><b>O.A. No.990 of 2022</b></p> <p><b>S.G. Zagade</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents Shri M.D. Lonkar, learned Advocate for Respondent No.2 and Shri U.V. Bhosle, learned Advocate for Respondent No.3.</p> <p>2. Today learned Advocate for Respondent No.2 as well as for Respondent No.3 have filed Affidavit-in-Reply. It is taken on record.</p> <p>3. Learned Advocate for the Applicant submits that Affidavit-in-Rejoinder if necessary will be filed within a week.</p> <p>4. O.A. be kept for hearing at the stage of admission.</p> <p>5. S.O. to 17.11.2022.</p> <p align="right">   Sd/-    <b>(A.P. Kurhekar)</b>  <b>Member (J)</b> </p> <p align="left">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p align="center"><b>O.A. No.899 of 2022</b></p> <p><b>K.A. Salunke</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</li> <li>2. This O.A. was kept along with O.A. No.561/2021 which is already ripe for hearing but adjourned because of filing of this O.A. subsequently.</li> <li>3. In this O.A. on previous date last chance was granted to file Affidavit-in-Reply. Hence, I am not inclined to grant further time.</li> <li>4. This O.A. be kept for hearing at the stage admission along with O.A. No.561/2021 with liberty to the Respondents to file Affidavit-in-Reply in O.A. No.899/2022 within a week from today with copy to other side.</li> <li>5. S.O. to 17.11.2022.</li> </ol> <p align="right">Sd/-  <b>(A.P. Kurhekar)</b>  <b>Member (J)</b></p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 18.10.2022</b></p> <p align="center"><b>O.A. No.827 of 2022</b></p> <p><b>D.D. Sonawane</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. requested for short time to file Affidavit-in-Reply. He has further pointed that one another O.A. is also pending on same issue.</p> <p>3. This O.A. be kept along with connected O.A. No.966/2022.</p> <p>4. S.O. to 03.11.2022.</p> <p align="right">Sd/-  (A.P. Kurhekar)  Member (J)</p> <p align="center">NMN</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p align="center">O.A. No.841 of 2022 with O.A. No.842 of 2022</p> <p>M.S. Mulla .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent in O.A. No.842/2022. It is taken on record.</p> <p>3. Insofar as O.A. No.841/2022 is concerned two weeks time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>4. S.O. to 15.11.2022.</p> <p align="right">Sd/- VVV (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2022</p> <p align="center">O.A. No.898 of 2022</p> <p>N.S. Vaidya .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.5. It is taken on record.</p> <p>3. On request of learned P.O. two weeks time is granted to file Affidavit-in-Reply on behalf of remaining Respondents, if any.</p> <p>4. S.O. to 09.11.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><b>Date: 18.10.2022</b></p> <p align="center"><b>O.A. No.663 of 2022</b></p> <p><b>K.K. Shinde</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>The Applicant in present is present.</li> <li>Shri R.B. Khot, learned Advocate for the Applicant is absent.</li> <li>Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri S.A. Kashid, learned Advocate for the Respondent No.3 both are present.</li> <li>Applicant sought <del>adjourned</del> <sup>adjourned</sup> stating that his Advocate is unwell.</li> <li>Adjourned for Final Hearing.</li> <li>S.O. to 22.11.2022.</li> </ol> <p align="right">Sd/-  (A.P. Kurhekar)  Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 18.10.2022

O.A. No.1046 of 2022

G.S. Khade .....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 police notice dated 11.08.2022 issued by Respondent No.1 – The Commissioner of Police, Mumbai thereby stating that for six months there will be no Inter District Transfer citing administrative difficulties.
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 03.11.2022.
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 03.11.2022.

*A.P. Kurhekar*  
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><b>Date: 18.10.2022</b></p> <p align="center"><b>O.A. No.1048 of 2022</b></p> <p><b>S.R. Malwade</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In the present O.A. the Applicant is retired Government servant and challenging communication dated 11.05.2022 whereby Respondent have withdrawn the benefit of 2<sup>nd</sup> Time Bound Promotion which was granted to him in 2018. The Applicant also apprehends recovery and sought stay.</p> <p>3. In view of above, there shall be no recovery from the Applicant till filing of Reply.</p> <p>4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>5. Issue notice before admission returnable on 28.11.2022.</p> <p>6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>9. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>10. These O.A. be kept along with connected O.A. Nos.1041, 1042, 1043 &amp; 1044 of 2022.</p> <p>11. S.O. to 28.11.2022.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 18.10.2022</b></p> <p align="center"><b>O.A.No.262 of 2020</b></p> <p><b>L. J. Thakur</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., the Applicant has challenged communications dated 19.08.2019, 08.11.2019 and 20.02.2020 whereby pay and allowances are prefixed and recovery is sought.</p> <p>3. The Respondents have filed Affidavit in Reply opposing the O.A.</p> <p>4. On previous date, when the matter was taken up for hearing, learned P.O. submitted that the issue of pay fixation and recovery is again being examined and the matter is referred to Pay Fixation Unit for confirming the correctness of action taken by them.</p> <p>5. Yesterday, learned P.O. submitted that there is a little change in the figures after final verification, the Respondents will issue fresh orders.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Today, learned P.O. has tendered communication dated 17.10.2022 issued by the Respondent No.2 – Deputy Conservator of Forest, Tal. Alibagh, Dist. Raigad wherein it is stated that the orders dated 19.08.2019, 08.11.2019 and 20.02.2020 are cancelled and fresh orders will be issued soon on the basis of fresh verification by Pay Verification Unit. The Communication issued by the Respondent No.2 is taken on record and marked by letter 'x' for identification.</p> <p>7. Thus, the communication dated 19.08.2019, 08.11.2019 and 20.02.2020 being withdrawn/cancelled by the Respondents, the challenge to the said orders has become infructuous. O.A. is, therefore, deserves to be disposed of.</p> <p>8. The Respondents are at liberty to issue fresh orders and it shall be communicated to the Applicant within two weeks from today. If the Applicant felt aggrieved by the same, he may avail further legal recourse.</p> <p>9. In view of above, Original Application is disposed of with no order as to cost.</p> <p style="text-align: right;">Sd/- Jwv <b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No.

of 20

I N

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 18.10.2022</b></p> <p align="center"><b>O.A.No.263 of 2020</b></p> <p><b>K. J. Mhatre</b> <span style="float: right;"><b>....Applicant</b></span></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> <span style="float: right;"><b>...Respondents.</b></span></p> <p>1. Heard Shri K. R. Jagdale, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this O.A., the Applicant has challenged communications dated 04.02.2020, 20.02.2020 and 15.04.2020 whereby pay and allowances are prefixed and recovery is sought.</p> <p>3. The Respondents have filed Affidavit in Reply opposing the O.A.</p> <p>4. On previous date, when the matter was taken up for hearing, learned P.O. submitted that the issue of pay fixation and recovery is again being examined and the matter is referred to Pay Fixation Unit for confirming the correctness of action taken by them.</p> <p>5. Yesterday, learned P.O. submitted that there is a little change in the figures after final verification, the Respondents will issue fresh orders.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Today, learned P.O. has tendered communication dated 17.10.2022 issued by the Respondent No.2 – Deputy Conservator of Forest, Tal. Alibagh, Dist. Raigad wherein it is stated that the orders dated 04.02.2020, 20.02.2020 and 15.04.2020 are cancelled and fresh orders will be issued soon on the basis of fresh verification by Pay Verification Unit. The Communication issued by the Respondent No.2 is taken on record and marked by letter 'x' for identification.</p> <p>7. Thus, the communications dated 04.02.2020, 20.02.2020 and 15.04.2020 being withdrawn/cancelled by the Respondents, the challenge to the said orders has become infructuous. O.A. is, therefore, deserves to be disposed of.</p> <p>8. The Respondents are at liberty to issue fresh orders and it shall be communicated to the Applicant within two weeks from today. If the Applicant felt aggrieved by the same, he may avail further legal recourse.</p> <p>9. In view of above, Original Application is disposed of with no order as to cost.</p> <p style="text-align: right;">Sd/- <b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 18.10.2022</p> <p style="text-align: center;">O.A.No.799 of 2022</p> <p>R. R. Gaikwad <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri C. T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</li> <li>2. The Applicant has filed the present O.A. for direction to the Respondents to include her name in the waiting list for compassionate appointment in view of her application dated 21.02.2014.</li> <li>3. The perusal of record reveals that the Applicant's husband died in harness on 14.03.2013. She applied for compassionate appointment on 21.02.2014 (Page 14 of PB). However, nothing has been communicated to her for long time and, therefore, she has approached this Tribunal.</li> <li>4. Though enough time is granted to file reply, it is not filed. Learned P.O. on instructions submits that Applicant's name is already entered in the waiting list and presently it is at Sr. No.11. He, therefore, submits that appointment order will be issued as and when her turn comes.</li> <li>5. The Applicant's Counsel raised grievance that the Respondents have not communicated anything in this behalf to his client.</li> <li>6. The Respondents are directed to communicate the position of waiting list and then shall act in accordance to law.</li> <li>7. In view of above, the Original Application is disposed of. The liberty is granted to Applicant to challenge the communication if felt aggrieved by the same.</li> <li>8. No order as to costs.</li> </ol> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(A.P. Kurhekar)</b> <b>Member(J)</b></p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

M.A./R.A./C.A. No.

of 20

IN

Original Application No.

of 20

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1047 of 2022</u></p> <p>Dilip S. Sabde ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri R.V. Kamble, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant challenges the order dated 4.10.2022 issued by respondent no.2-MPSC thereby disqualifying the applicant on the ground that applicant is age barred.</p> <p>3. Pursuant to advertisement no.258/2021 dated 24.11.2021 for 3 posts of Under Secretary (Legal), Group A the applicant applied for the same. Ld. Advocate for the applicant pointed out GAD GR dated 17.12.2021 regarding relaxation of age for appearing in the examination on the background of COVID-19. The applicant belongs to OBC category and for the said category the maximum age limit is 45 years. The cut-off date for calculating the age is fixed as 1.3.2022 in the advertisement. The date of birth of the applicant is 30.3.1975 and he completed the age of 45 years on 30.3.2020.</p> <p>4. The applicant submits that an announcement was published on 8.2.2022 by MPSC thereby giving opportunity to make applications to the candidates who have crossed the age limit and considered as age barred during the period from 1.3.2020 to 17.12.2021. Thereafter the applicant applied to MPSC on 12.2.2022 and his application was duly registered and accepted by the MPSC on 12.2.2022.</p> <p>5. Ld. CPO pointed out that as per announcement dated 8.2.2022 if the period from 1.3.2020 to 17.12.2021 is excluded the period comes to 1 year 9 months and 17 days. Ld. CPO pointed out that as per date of birth of the applicant which is 30.3.1975, as on 1.3.2022 which is cut-off date for age the applicant was 46 years 10 months and 29 days. MPSC deducted the period of concession of 1 year 9 months and 17 days from the total age of the applicant and it is more than 1 month and 12 days than 45 years which comes to 45 years 1 month and 12 days. Thus, according to MPSC the applicant is over aged by 1 month and 12 days.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Ld. Advocate for the applicant submits that announcement dated 8.2.2022 is contrary to GR dated 17.12.2021 and the exclusion of period 1 year 9 months and 17 days is not correct. 13.2.2022 was the last date for filling the application forms. With this calculation Ld. Advocate submits that applicant was entitled to apply till 13.2.2022 and therefore he should not have been considered over aged.</p> <p>7. In view of the facts of the case, I am of the view that the method adopted by the MPSC cannot be faulted out as it is done as per the announcement. The applicant has not challenged the announcement and has taken benefit of the announcement and under such circumstances, unfortunately no prima facie case is made out to grant interim relief. Moreover, it is found that nothing remains in this matter as such.</p> <p>8. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>9. Issue notice before admission returnable on 9.11.2022. The respondents are directed to file reply.</p> <p>10. 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>11. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>12. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>13. In case notice is not collected within <b>seven days</b> or service report on affidavit is not filed <b>three days</b> before returnable date, the OA shall be placed on board before the concerned Bench under the caption "<b>For Dismissal</b>" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 18.10.2022</p> <p>(sgj)</p>