

**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: 18.10.2023</p> <p align="center">O.A. No.770 of 2023</p> <p>R.S. WadkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The O.A. No.770/2023 was taken up directly for Final Hearing. Learned Advocate for the Applicant and learned P.O. on behalf of Respondents completed their arguments today in Final Hearing.</p> <p>3. The Learned Advocate for the Applicant stressed on the point that the Applicant's has been arbitrarily transferred to the post of Taluka Agricultural Officer, Karanja, Tehsil Wardha by not considering the fact that he had given 10 Choices of Posting on various posts in both Pune & Konkan Division on 21.04.2023.</p> <p>4. Learned Advocate for the Applicant then stated that all posts in Maharashtra Agricultural Services, Group-B which were clearly vacant at the end of April 2023 was published on the 'Website' of the Commissioner of Agriculture, Pune. The list of clear vacant posts for Pune District included the first choice of the Applicant of 'Technical Agricultural Officer, Divisional Joint Director of Agriculture, Pune' and it was shown at Sr.No.7 of posts clearly vacant and published on the 'Website' of the Commissioner of Agriculture, Pune.</p> <p>5. Learned Advocate for the Applicant then proceeded to refer to the proceeding of the 'Minutes of Meeting' of CSB which indicated that they had considered the request of the Applicant retain in Pune District and recommended him for posting as Taluka Agricultural Officer, Junnar, Pune District. However, recommendation</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>of the C.S.B. we were not accepted by the 'Competent Authority' who modified it and for 'Administrative Reasons' posted the Applicant to the post of Taluka Agricultural Officer, Karanja, Tehsil Wardha.</p> <p>6. Learned Advocate for the Applicant stressed that the reasons for posting the Applicant on the post of Taluka Agricultural Officer, Karanja, Tehsil Wardha were unknown and the Competent Authority exercised powers arbitrarily because as per the list of clearly vacant posts at the end of April 2023 published on 'Website' of the Commissioner of Agriculture, Pune, there were 8 clearly vacant posts in Pune District itself and total of 35 clearly vacant posts in Pune Division. Similarly, there were total of 72 clearly vacant posts in Konkan Division. Further total of 40 clearly vacant posts in Nashik Division and total of 72 clearly vacant posts in Chatrapati Sambhaji Nagar Division besides total of 67 clearly vacant posts in Amravati Division. Learned Advocate then pressed on the fact that there were 16 clearly vacant posts in Wardha District and total of 84 clearly vacant posts in Nagpur Division. She then highlighted that besides grand total of 350 clearly vacant posts across the Six Revenue Divisions, another set of posts which were likely to fall vacant was also published on the 'Website' by Commissioner of Agriculture, Pune. Hence, against this backdrop, the decision to post the Applicant to Taluka Agricultural Officer, Karanja, Tehsil Wardha shows arbitrary exercise of powers by the Competent Authority.</p> <p>7. Learned Advocate for the Applicant also argued that the guidelines in GAD G.R. dated 09.04.2018 gives preference to the Government Servants both 'Husband and Wife' and requires them to be posted preferably within same Tehsil or District. The case of the Applicant is that his Wife who working as Primary Teacher in Zilla Parishad, Pune which was thus duly considered by the C.S.B. while making its recommendation but was overlooked by the Competent Authority to post the Applicant to 'Taluka Agricultural Officer, Karanja, Tehsil Wardha'.</p> <p>8. The Learned PO stressed that the Competent Authority as exercised the powers as per the provision of the 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' and the Applicant was justifiably posted due to 'Administrative Exigency' to the clearly vacant post of 'Taluka Agricultural Officer, Karanja, Tehsil. Wardha'.</p>

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	<p>9. The Applicant has given his first choice on 21.04.2023 as 'Technical Agricultural Officer, Divisional Joint Director of Agriculture, Pune' which was shown as clearly vacant post in the list published at the end of April 2023 by the Commissioner of Agriculture'. On query, it is disclosed that this post of 'Technical Agricultural Officer, Divisional Joint Director of Agriculture, Pune' is still vacant. Therefore, as stated above Transfer Order passed on 28.06.2023 to post the Applicant as 'Taluka Agricultural Officer, Karanja, Tehsil Wardha' cannot be sustained in law on account of being arbitrary exercise of powers which is required to be obliterated in decision making by Public Authorities; as per several judgments of the Hon'ble Supreme Court and Hon'ble High Court at Bombay. In the context of the present OA No.770 of 2023, it would be imperative to refer to the judgment of Hon'ble Supreme Court of India in the case of East Coast Railway & Another Vs. Mahadev Appa Rao & Ors, (2010) 7 SCC 678. The relevant extract of the judgment is as under:-</p> <p style="padding-left: 40px;"><i>"There is no precise statutory or other definition of the term "arbitrary". Arbitrariness in the making of an order by an authority can manifest itself in different forms. Non-application of mind by the authority making an order is only one of them. Every order passed by a public authority must disclose due and proper application of mind by the person making the order. This may be evident from the order itself or record contemporaneously maintained. Application of mind is best demonstrated by disclosure of mind by the authority making the order. And disclosure is best done by recording reasons that led the authority to pass the order in question. Absence of reasons either in the order passed by the authority or in the record contemporaneously maintained, is clearly suggestive of the order being arbitrary hence legally unsustainable."</i></p> <p>The Competent Authority was required to give due consideration to recommendation of C.S.B. with regard to posting of 'Husband and Wife' together in the same Tehsil or District as per provisions of G.A.D. G.R. dated 09.04.2018.</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram,
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10. The impugned Transfer Order dated 28.06.2023 of the Applicant to the post of 'Taluka Agricultural Officer, Karanja, Tehsil Wardha' is therefore quashed and set aside and accordingly (i) Respondent No.1 - 'Principal Secretary, Agriculture, Animal Husbandry, Dairy Development & Fisheries Department and (ii) Respondent No.2 - 'Commissioner of Agriculture, Pune' are directed to consider albeit belatedly the first 'Choice of Posting' of the Applicant submitted on 21.04.2023 and transfer him on 'Vacant Post' of 'Technical Agricultural Officer, Divisional Joint Director of Agriculture, Pune'.

11. The Original Application is Allowed. Order be implemented within a period of 'Four Weeks'. 'No Order as to Costs.'

Sd/-
(Debashish Chakrabarty)
Member (A)

NMN

**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">18.10.2023</p> <p align="center">O.A 592/²⁰¹⁵2021</p> <p>J.S Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel for the applicant submits that Writ Petition 8926/2015 filed by the Respondents is still pending.</p> <p>3. In view of the above, matter stands adjourned to 5.12.2023.</p> <p>Sd/- _____ (Medha Gadgil) Member (A)</p> <p>Sd/- _____ (Mridula Bhatkar, J.) Chairperson</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><i>* Corrected as per Order dated 20.10.2023.</i></p> <p><i>P.S. Zadkar</i> P.S. Zadkar I/C. Registrar</p> <p><i>25-10-23</i></p>	<p>Date: 18.10.2023</p> <p>O.A. No.872 of 2023</p> <p>A.A. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. One Week time is granted to file 'Affidavit-in-Reply' on behalf of the Respondents</p> <p>3. S.O. to 27.10.2023.</p> <p><i>* 4. Interim Relief to be continued till Next Date.</i></p> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</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: 20.10.2023</p> <p align="center">O.A. No.872 of 2023 (FOR SPEAKING TO THE MINUTES)</p> <p>A.A. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant mentions Order dated 18.10.2023 in O.A. No.872/2023 for 'Speaking to the Minutes'.</p> <p>3. Learned Advocate for the Applicant submits that in Order dated 18.10.2023 'Para No.4 should be added as 'Interim Relief to be continued till Next Date.'</p> <p>4. In view of above, Order dated 18.10.2023 in O.A. No.872/2023 be corrected accordingly and 'Speaking to the Minutes' is disposed off in O.A. No. 872/2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

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

Date: 18.10.2023

O.A. No.708 of 2023

M.S. NaikApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. R.S. Sinhasane, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant states that the Applicant had submitted her 7 Choices for Postings both on the posts of Awal Karkun & Circle Officer in Tahsil Offices of Kagal, Panhala & Karvir, District Kolhapur. However she came to be transferred to the post of Awal Karkoon in the office of S.D.O. – Gadhinglaj, District Kolhapur.

3. Learned Advocate for the Applicant further states that the earlier 7 Choices of Postings submitted by the Applicant can be belatedly considered by the 'District Collector – Kolhapur' who is Respondent No.1, if he were willing to also reconsider the earlier requests, made by any of the Respondent Nos. 3, 4 and 5 who are all transferred to the posts of Awal Karkun, Tahsil Office – Panhala by Transfer Orders dated 16.06.2023.

4. Learned Advocate for Applicant further states that at present as there are few 'Vacant Posts of Awal Karkuns' in the office of 'District Collector, Kolhapur' and if the earlier request made by any Respondent Nos.3, 4 and 5 are now reconsidered and if any one of them is transferred to one 'Vacant Post' of Awal Karkun in office of District Collector, Kolhapur, then one 'Vacant Post' of 'Awal Karkun' will become available at Tahsil Office - Panhala and the request from the '7 Choices of Postings' of Applicant can be considered afresh by 'District Collector – Kolhapur' and she can be posted as Awal Karkun, in Tahsil Office - Panhala.

4. The 'District Collector, Kolhapur' may consider the above proposition and take appropriate decision in this regard within a period of Two Weeks.

5. S.O. to 01.11.2023.

6. Hamdast granted.

Sd/-

(Debashish Chakrabarty)
Member (A)

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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: 18.10.2023</p> <p align="center">O.A. No.1319 of 2023</p> <p>V.A. LokareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri S.S. Dere, learned Advocate for the Respondent No.3.</p> <p>2. Learned Advocate for the Applicant has been transferred from the post of 'Resident Naib Tahsildar, Tahsil Office - Karvir, District Kolhapur' to the post of 'Naib Tahsildar (Revenue), Tahsil Office – Radhanagari, District Kolhapur' by Transfer Order dated 05.10.2023. She further states that the Applicant had completed his tenure on the post of 'Resident Naib Tahsildar, Tahsil Office Karvir, District Kolhapur'. However, Transfer Order of the Applicant has been issued on 05.10.2023 along with other Naib Tahsildars who had made request, whereas there was no request made for transfer by the Applicant. She further states that no such 'Special Reasons' or 'Exceptional Circumstances' are mentioned by Competent Authority for effecting the transfer of the Applicant from the post of 'Resident Naib Tahsildar, Tahsil Office Karvir, District Kolhapur' as required under Section 4 (4) and 4 (5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.</p> <p>3. Learned Advocate for the Respondent No.3 states that he had made request on 04.05.2023 for Transfer to the post of 'Resident Naib Tahsildar, Tahsil Office Karvir, District Kolhapur' for 'Personal Reasons.' Now that it has been considered by the Competent Authority consequent to the transfer of the Applicant who had completed 3 years of Normal Tenure on the post of 'Resident Naib Tahsildar, Tahsil Office Karvir, District Kolhapur'.</p>

[P.T.O.]

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4. Learned P.O. states that the transfer of the Applicant has been done on 'Administrative Reasons' but shown along with other officers of the cadre of Naib Tahsildar who have been transferred on request. The File Noting produced by learned P.O. indicates that C.S.B. had recommended the transfer of the Applicant to the post of 'Naib Tahsildar (Revenue), Tahsil Office Radhanagari, District Kolhapur'. Further, it also mentions that there were acceptable reasons for the Respondent No.3 to be considered for transfer on the 'Vacant Post' held earlier by the Applicant. The Applicant has been transferred to the post of 'Naib Tahsildar (Revenue), Tahsil Office Radhanagari, District Kolhapur' by Order dated 05.10.2023. Although he was due to be transferred at the time of 'General Transfer'; no 'Exceptional Circumstances' or 'Special Reasons' have been recorded by the 'Competent Authority' resulting in the Transfer Order of the Applicant on 05.10.2023, The Respondent No.3 has joined on the post of 'Resident Naib Tahsildar, Tahsil Office Karvir, District Kolhapur' on 09.08.2023; Whereas, the Applicant has not taken charge of his post of 'Naib Tahsildar (Revenue), Tahsil Office Radhanagari, District Kolhapur'. Therefore, at this stage it could not be appropriate to grant any 'Interim Relief'.
5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
6. Issue notice before admission returnable on 01.11.2023.
7. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
8. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
9. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
10. 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.
11. S.O. to 01.11.2023.

Sd/-
(Debashish Chakrabarty)
Member (A)

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	<p align="center">Date: 18.10.2023</p> <p align="center">O.A. No.1056 of 2023</p> <p>N.P. TummevarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that inspite of the 'Interim Relief' passed on 13.09.2023 the Applicant has not been permitted by the 'Deputy Director, Land Records, Konkan Division, Mumbai' to join on the post of Headquarter Assistant in the office of 'Deputy Superintendent of Land Records, Bhiwandi'.</p> <p>3. Learned P.O. states that the Order of 'Interim Relief' has been communicated to the 'Deputy Director, Land Records, Konkan Division, Mumbai'. Learned P.O. further states that on the basis of information given by the officer on behalf of 'Deputy Superintendent of Land Records, Bhiwandi' they have sought some guidance from the office of 'Settlement Commissioner & Director of Land Records' about implementation of order of 'Interim Relief' passed on 13.09.2023. Act of 'Deputy Director, Land Records, Konkan Division, Mumbai' & 'Deputy Superintendent of Land Records, Bhiwandi' is <i>prima-facie</i> contemptuous in nature and therefore they are directed to immediately implement the order of 'Interim Relief' passed on 13.09.2023 and permit Applicant to join back on the post of 'Headquarter Assistant' in office of 'Deputy Superintendent of Land Records, Bhiwandi'.</p> <p align="right">[PTO.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned P.O. thereafter to seek information from the 'Deputy Director, Land Records, Konkan Division, Mumbai' as to whether they are also willing to consider the request of the Applicant to transfer him on any 'Vacant Post' of Kalyan or Wada of Thane District or subsequent to implementation of order of 'Interim Relief' passed on 13.09.2023; allow him to continue on the post of 'Headquarter Assistant' in the office of 'Deputy Superintendent of Land Records, Bhiwandi'.</p> <p>5. Learned Advocate for the Applicant seeks Two Weeks to file 'Affidavit-in-Rejoinder'. Time of Two Weeks is granted for Affidavit-in-Rejoinder'</p> <p>6. S.O. to 01.11.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 18.10.2023</p> <p>O.A. No.1061 of 2023 with O.A. No.1062 of 2023</p> <p>V.S. Jorkar S.B. KoliApplicant Versus The State of Maharashtra & Ors.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. reads out the contents of the 'Affidavit-in-Rejoinder' filed by the 'Commissioner of Police, Pune' on 11.10.2023 wherein no specific information as expected has been affirmed with respect to the directions given by the Order dated 25.09.2023. The Affidavit-in-Reply does not disclose the any time period about the promotion of the Applicant to the Post of PSI. The cryptic contents of Para 4.3 are "As such, as and when Vacancies for Promotional Post on time scale accrues in said Respondent Office and as and when the same gets cleared-up by concern D.P.C. at that time to come in near future, but can't be predicted exactly right now and surely then, Applicant is found fit and eligible as per rule, he would be given promotion then, no doubt".</p> <p>3. Learned PO is therefore informed that the 'Affidavit-in-Rejoinder' filed by the 'Commissioner of Police, Pune' on 11.10.2023 is vague and therefore, it is necessary to give appropriate directions in this regard to the 'DGP-Maharashtra State' & Respondent No.1. Accordingly, DGP – Maharashtra State directed to forthwith convene the Meeting of D.P.C to consider the case of the Applicants for promotion to the post of P.S.I. If Applicant is found fit to be promoted to the post of PSI, then 'Promotion Orders' may be issued within the period of Four Weeks.</p> <p>4. S.O. to 22.11.2023.</p> <p style="text-align: right;">Sd/- (<u>Debashish Chakrabarty</u>) Member (A)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="781 749 1008 783">Date: 18.10.2023</p> <p data-bbox="1003 828 1289 861">O.A. No.1240 of 2023</p> <p data-bbox="781 906 1511 1018"> U.A. VaidyaApplicant Versus The State of Maharashtra & Ors.Respondents. </p> <ol data-bbox="781 1104 1511 2130" style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant has filed Affidavit-in-Rejoinder to the Affidavit-in-Reply filed by the Respondent No.3. It is taken on record. 3. Learned P.O. states that they do not want to file 'Affidavit-in-Sur Rejoinder' on behalf of Respondent No.3. 4. Learned Advocate for the Applicant and Learned Presenting Officer were heard at length regarding vacating of the Interim Order of 09.10.2023 restraining the Respondent No.3 – DG, ACB, Maharashtra State from taking action to fill the post of 'Deputy Superintendent of Police, ACB, Satara.' Both have presented their arguments based on facts and merits as also on law points, and therefore, this OA No.1240 of 2023 has been heard fully and is no longer required to be heard for vacating of the Interim Order. Hence, this OA is closed for orders. <p data-bbox="1166 2216 1495 2346" style="text-align: right;"> Sd/- (Debashish Chakrabarty) Member (A) </p> <p data-bbox="781 2424 833 2450">NMN</p>

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	<p>Date: 18.10.2023</p> <p align="center">O.A. No.1182 of 2023</p> <p>N.D. KedariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.M. Kakade, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant submits that Affidavit-in-Reply will be filed during the course of the day. Statement is accepted. It be taken on record.</p> <p>3. Learned Advocate for the Applicant further states that this O.A. No.1182/2023 be tagged along with O.A. No.151/2023 and kept under caption of 'Final Hearing.'</p> <p>4. S.O. to 31.10.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

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	<p align="center">Date: 18.10.2023</p> <p align="center">O.A. No.945 of 2023</p> <p>R.K. BhosaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant states that as per observation made on 29.09.2023 the Applicant has submitted his representation on 03.10.2023 to the office of 'Secretary, Social Welfare and Special Assistant Department' including willingness to be posted to any of the 5 posts which are available in Pune.</p> <p>3. Learned P.O. states that the representation of the Applicant is just been received on 10.10.2023 and therefore it will take some time to be considered and for which it would be necessary to complete the procedure of 'C.S.B.' and if recommended by 'C.S.B.' proposal will have to be submitted to 'Hon'ble Chief Minister' who is also 'Minister-In-Charge' of 'Social Welfare and Special Assistant Department'. Therefore, status regarding the consideration of the representation of the Applicant dated 03.10.2023 submitted to the office of 'Secretary, Social Welfare and Special Assistant Department' to be informed on the 'Next Date'.</p> <p>4. S.O. to 01.11.2023 as Final Hearing (Part Heard).</p> <p>5. Hamdast granted.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="right">[P.T.O.]</p>

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DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>18.10.2023</u>
	<u>C.A 43/2023 in O.A 32/2023 with M.A 364/2023 in O.A 619/2023</u>
	A.D Nargude & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents
	1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant in C.A 43/2023 in O.A 32/2023, Mrs K.S Gaikwad, learned P.O for the Respondents and Smt Punam Mahajan, learned counsel for the applicants in O.A 619/2023
	2. Learned counsel Mrs Mahajan submits that O.A 619/2023 be detagged from C.A 43/2023.
	3. The orders passed in C.A 32/2023 and the interim relief granted in O/A 619/2023, clash with each other and therefore it is necessary to hear both the matters together.
	4. Though C.A No. 43/2023 is filed, all the matter can be shown under the caption 'Due Admission'.
	5. Learned counsel Mrs Mahajan is directed to file affidavit in rejoinder in OA 619/2023 by way of last chance.
	6. S.O to 8.11.2023. Interim relief to continue.
	Sd/- (Medha Gadgil) Member (A)
	Sd/- (Mridula Bhatkar, J.) Chairperson
	Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

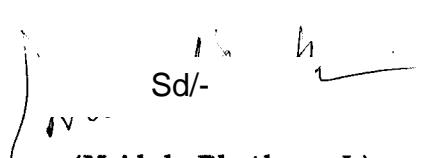
(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<u>18.10.2023</u>
	<u>M.A 403/2023 in O.A 55 & 56/2018</u>
	The State of Maharashtra & Ors ... Applicants (Ori Respondents)
	Vs.
	Shri Anil T. Mane & Ors ... Respondents (Ori Applicants)
	1. Heard Ms Archana, learned P.O for the Applicants (Ori Respondents) and Shri B.A Bandiwdekar, learned counsel for the Respondents (Ori applicants).
	2. Learned counsel Mrs Mahajan submits that O.A 619/2023 be detagged from C.A 43/2023.
	3. Learned P.O submits that the present Misc Application is filed seeking extension of time. However, as the order of this Tribunal is complied with, she seeks permission to withdraw the Misc Application. Permission granted.
	4. Misc Application accordingly stands disposed of as withdrawn.
	Sd/-
	Sd/- 
	(Mridula Bhatkar, J.) Chairperson
	Sd/-
	(Medha Gadgil) Member (A)
	Akn

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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18.10.2023C.A 67/2023 in O.A 993/2019 with C.A 68/2023 in
O.A 995/2019 with C.A 85/2023 in O.A 996/2019
with C.A 69/2023 in O.A 1021/2019 with O.A
13/2022

V.D Kalsait
S.Y Rayhpure
S.P Tadvalekar
S.K Lolage

D.B Haral & Ors

... Applicants

Vs.

The State of Maharashtra & Ors

... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants in C.A 67, 68, 85 and 69/2023, Ms Saba Shaikh, learned advocate for the applicants in O.A 13/2022 and Smt K.S Gaikwad, learned P.O for the Respondents.

2. Learned P.O submits that the file is pending before the Hon'ble Chief Minister and today there is Cabinet and they are trying to get signature of the Hon'ble Chief Minister.

3. In view of the above matter adjourned to 25.10.2023.

Sd/-

(Medha Gadgil)
Member (A)
Akn

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 18.10.2023</p> <p align="center">O.A. No.733 of 2023 with M.A. No.483 of 2023</p> <p>V.J. Mane S.A. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Head Smt. Punam Mahajan, learned Advocate for the Applicant in O.A. No.733/23, Shri M.D. Lonkar, learned Advocate for the Applicant in M.A. No.483/23 and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned Advocate for the Applicant has filed 'Additional Affidavit-in-Rejoinder' on behalf of the Applicant. It is taken on record.</p> <p>3. 'Interim Relief' to continue till next date.'</p> <p>4. S.O. to 25.10.2023 for 'Final Hearing (Part Heard).'</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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: 18.10.2023</p> <p align="center">O.A. No.1169 of 2023</p> <p>S.S. SupeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.A. Desai, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Respondent No.3.</p> <p>2. On request of learned P.O. Three Week time is granted to file 'Affidavit-in-Reply' on behalf of the Respondents</p> <p>3. 'Interim Relief' to continue till 'Next Date'.</p> <p>4. S.O. to 08.11.2023.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">NMN</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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: 18.10.2023</p> <p style="text-align: center;">O.A. No.1083 of 2023</p> <p>Dr. J.B. MokalApplicant Versus The State of Maharashtra & Ors.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. On request of learned Advocate for the Applicant One Week is granted to file 'Affidavit-in-Rejoinder' on behalf of the Applicant.</p> <p>3. S.O. to 27.10.2023.</p> <p style="text-align: right;">Sd/- (<u>Debashish Chakrabarty</u>) Member (A)</p> <p style="text-align: center;">NMN</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

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: 18.10.2023</p> <p style="text-align: center;">O.A. No.872 of 2023</p> <p>A.A. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. One Week time is granted to file 'Affidavit-in-Reply' on behalf of the Respondents</p> <p>3. S.O. to 27.10.2023.</p> <p style="text-align: right; margin-right: 20px;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center; margin-top: 20px;">NMN</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL**MUMBAI****ORIGINAL APPLICATION NO.428 OF 2021**

Shri Sachin Ashok Kamble,

..Applicant

Versus

The State of Maharashtra & Anr.

..Respondents

Shri B.A. Bandiwadekar – Advocate for the Applicant

Smt. K.S. Gaikwad – Presenting Officer for the Respondents

CORAM : Smt. Justice Mridula Bhatkar, Chairperson
Smt. Medha Gadgil, Member (A)DATE : 18th October, 2023**ORDER**

1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. Ld. Advocate for the applicant has filed application dated 18.10.2023 for speaking to minutes of the order dated 6.10.2023 passed by this Tribunal in the above matter. The Ld. Advocate for the applicant submits that in line 4 para 9 at page 5 of the said order dated 6.10.2023 the words 'respondent no.1' be corrected as 'respondent no.2'.
3. Correction be carried out and read accordingly.

Sd/-

Medha Gadgil
(Medha Gadgil)
Member (A)
18.10.2023

Sd/-

Mridula Bhatkar
(Mridula Bhatkar, J.)
Chairperson
18.10.2023

Dictation taken by: S.G. Jawalkar.

**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>18.10.2023</u></p> <p><u>O.A 114/2020</u></p> <p>Shri R.S Jikare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents no 1 to 3 and Shri K.R Jagdale, learned counsel for Respondent no. 4.</p> <p>2. Admit. Place for final hearing on 22.11.2023.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (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>18.10.2023</u></p> <p><u>C.A 57/2023 in O.A 625/2021 with Caveat No. 57/2023 in O.A 625/2021</u></p> <p>K.D Binner & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicants and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O informs that the total number of posts of Ambulance Driver in Thane & Palghar Districts in Government Hospital is 64. Further, in both the Districts the sanctioned posts of Driver is 37. 16 Drivers are recruited and 21 posts are vacant. Learned P.O submits that 21 posts are filled up by outsourcing as per G.R dated 26.7.2004. She further submits that outsourcing is going on since 2005 and the posts are filled up through Rajshri Sahu Nagriseva Sansatha.</p> <p>3. Respondent No. 5 is directed to file affidavit in reply in respect of information regarding the four queries made by this Tribunal by order dated 11.10.2023.</p> <p>4. S.O to 2.11.2023.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p>
	<p>Sd/-</p> <p>(Medha Gadgil) Member (A)</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p>

Akn

**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>18.10.2023</u></p> <p><u>M.A 638/2023 in O.A 1081/2017</u></p> <p>Shri Dilip B. Galphade & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.P Potbhare, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant has move Misc Application for the amendment by adding the name of the Co-applicant in this Original Application.</p> <p>3. Learned C.P.O seeks time to take instructions in the matter.</p> <p>4. S.O to 25.10.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.74 of 2022</u></p> <p>Ravindra P. Pimpalgaonkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri P.L. Ligade, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant submits that applicant is going to retire on 30.11.2023. The applicant who is working as Cooperative Officer, Grade-I seeks directions to the respondents to revise the promotional list dated 30.12.2021 for the post of Assistant Registrar, Cooperative Societies and further seeks directions to the respondent no.3 to add the name of the applicant in the promotion list of 30.12.2021 for the post of Assistant Registrar, Cooperative Societies and also prays that order dated 23.8.2021 passed by respondent no.3 is required to be quashed and set aside. Ld. Advocate for the applicant submits that applicant is appointed on compassionate ground in the OBC category. He joined as Junior Clerk in 1984. He was promoted as Senior Clerk on 18.3.2000 and as Head Clerk on 16.10.2007. He was then promoted as Cooperative Officer, Grade-I on 4.6.2019.</p> <p>3. Ld. Advocate for the applicant challenges order dated 23.8.2021 passed by respondent no.3. He also prays that promotion list dated 30.12.2021 be revised by adding his named. He pointed out his application dated 14.5.2021 and prays that vacant post in promotional quota are to be filled up subject to outcome of SLP No.28306/2017. Ld. Advocate submits that applicant should get benefit of GR dated 7.5.2021 and his seniority should be fixed as on 25.5.2004. He submits that he is at Sr. No.1 in the seniority lists dated 10.2.2017 and 4.4.2018 on the basis of which he should be considered for promotion.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Ld. CPO files affidavit in sur-rejoinder on behalf of respondents no.2 & 3 dated 18.10.2023 affirmed by Sheetal Anandrao Patil, Dy. Registrar, Cooperative Societies (Administration & Audit), Pune. She draws our attention to the table and details therein to us. She submits that now for the promotion of Assistant Registrar the State wise common seniority is considered and not as per division wise. Ld. CPO submits that as the applicant is at Sr. No.1 however he stands at Sr. No.372 in the State wise seniority list as on 1.1.2022 and 371 persons are above him and therefore he will be considered as and when vacancy arises.</p> <p>5. In view of these factual information in the sur-rejoinder we find that there is no merit in the OA and the same deserves to be dismissed.</p> <p>6. OA is dismissed. No order as to costs.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A) 18.10.2023 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson 18.10.2023</p>

Date : 18.10.2023

Tribunal's orders

O.A.No.420 of 2023
With
O.A.No.1178 of 2023

D. M. Bhamray

....Applicant

Versus

The State of Maharashtra & Ors. .Respondents.

1. Heard Shri S. S. Dere, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Chief Presenting Officer for the Respondents.
2. Shri Dadaji Gahane, Joint Commissioner, Food and Drugs Administration is present today before the Court. He submits that the Desk Officer Shri Sainath Gangalwad from the department of Medical Education and Drugs on 09.10.2023 informed him orally that proposal about the promotion to the post of Joint Commissioner, Food and Drugs is to be sent to Secretary, Medical Education & Drugs Department.
3. The proposal from the office of Commissioner, Food and Drugs Administration in respect of officers under the zone of consideration of promotion to the post of Joint Commissioner, Food & Drugs which are ready and available is to be sent before 1.00 PM, tomorrow the 19th October, 2023 and delivered by hand to the office of Secretary, Medical Education and Drugs Department.
4. The Secretary, Medical Education and Drugs Department to immediately thereafter on 19th October, 2023 itself, propose convening of meeting of the Establishment Board of G.A.D. and thereupon Additional Chief Secretary (Services), G.A.D. to convene the meeting of the Establishment Board of G.A.D. on 20.10.2023.
5. Steno copy granted.
6. S.O. to 19.10.2023 at 4.00 PM.

Sd/-

Sd/-

(Debashish Chakrabarty)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

**O.A.NO.550/2023 WITH O.A.NO.730/2023
WITH O.A.NO.697/2023**

S.D. Kulkarni (O.A.No.550/2023)
Dr. R.M. Gangurde (O.A.No.730/2023)
Dr. R.R. Tryambake (O.A.No.697/2023)Applicants
Vs.
The State of Maharashtra & Ors.Respondents

Ms. P.B. Patil, learned Counsel for the Applicants through Video Conferencing.

Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents in O.A.Nos.550/2023 & 730/2023.

Mr. A.J. Chougule, learned Presenting Officer for the Respondents in O.A.No.697/2023.

Mr. D.B. Sutar, learned Advocate for Respondent No.6 in O.A.No.730/2023 is absent.

DATE : 18.10.2023

CORAM : JUSTICE MRIDULA BHATKAR, CHAIRPERSON

ORDER

1. Learned Counsel Ms. Patil has submitted that all the three matters are pertaining to transfer were adjourned to 12.10.2023. Learned Counsel Ms. Patil through email made request to the Principal Bench at Mumbai that she be given audience through video conferencing. However, that request was rejected. She informed orally that no video conferencing can be given to her on 12.10.2023.

2. On enquiry I have found that in Court Hall of Member (A), Hon'ble Debashish Chakrabarty, no video conferencing was available on 12.10.2023 and therefore it was informed that it cannot be given. Subsequently, she received email that video conferencing cannot be granted on 12.10.2023, but will be available on 16.10.2023. Learned

Counsel Ms. Patil has submitted that the order dated 12.10.2023 was passed behind her back whereas she was communicated that the matters will be taken up on 16.10.2023.

3. The order dated 12.10.2023 passed in O.A.No.550/2023 with O.A.No.730/2023 is quoted below :

- “1. Applicants and their Advocate Ms. P.B. Patil, both are absent. Shri D.B. Sutar, learned Advocate for the Respondent No.5 is also absent.
2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present.
3. ‘Interim Relief’ to continue till ‘Next Date’.
4. S.O. to 31.10.2023.”

The order dated 12.10.2023 passed in O.A.No.697/2023 is quoted below :

- “1. Heard Ms. P.B. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. Interim Relief, if any to continued till next date.
3. S.O. to 31.10.2023.”

4. Learned Counsel Ms. Patil requested that whether she needs to address the court through video conferencing or physical hearing.

5. The concerned lawyer to take decision whether she wants video conferencing or physical hearing.

6. Learned Counsel states that she is ready to come physically and work out the matters.

7. Registry is directed not to show this matter on the board of video conferencing and place it before concerned board on 31.10.2023.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

prk

**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><u>OA.1334/2023 (OA.787/2019-Aurangabad)</u> <u>OA.1335/2023 (OA.290/2022-Aurabgabad)</u></p> <p>L.P. Huse A.K. Parsuwale ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Sandeep N. Lute, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicants prays for transfer back of these two OAs to Aurangabad Bench.</p> <p>3. These two matters of Aurangabad Bench were transferred to Mumbai by order dated 13.9.2023 for want of DB at Aurangabad Bench. Reply is filed at Aurangabad. From 16.10.2023 Learned Member (A) has joined at MAT, Aurangabad Bench and now DB is available at Aurangabad. Hence, the above two matters are transferred back to Aurangabad Bench.</p> <p>4. Registry is directed to handover record and proceedings in the above two matters to Ld. Advocate for applicants.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson 18.10.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.744 of 2018</u></p> <p>A.S. Karkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant informs that stay has not been granted in W.P. No.13094/2023 filed at Aurangabad Bench of High Court. Ld. PO on instructions from Shri Bahadur Fakir, Senior Clerk, ADG Prison, Pune confirms the same.</p> <p>3. S.O. to 20.10.2023. HOB.</p> <p align="center">Sd/- Sd/- (Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 18.10.2023 18.10.2023</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 style="text-align: center;"><u>18.10.2023</u></p> <p style="text-align: center;"><u>C.A 84/2023 in O.A 168/2018 with O.A 1115/2018</u></p> <p>A.V Patil M.S Jadhav ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Mr Ansari Faiyaz Ahmed holding for Shri A.A Gharte, learned advocate for the applicant in C.A 84/2023 in O.A 168/2018 and Ms Swati Manchekar, learned C.P.O for the Respondents. None present for the applicant in O.A 1115/2018.</p> <p>2. Learned C.P.O submits that there were three posts. However, one post was already filled up because of the order of this Tribunal dated 5.4.2022 in O.A 969/2019. Now on information from M.P.S.C, it is informed that for remaining two posts the requisition is sent to M.P.S.C by the Respondents. Thus, out of 3 applicants, the grievance of the applicant who is below in the merit list cannot be redressed.</p> <p>3. Learned counsel for the applicant request that O.A 1115/2018 be detagged from the present Contempt Application.</p> <p>4. Accordingly, O.A 1115/20128 is detagged from the present Contempt Application.</p> <p>5. S.O to 23.11.2023.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**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>18.10.2023</u></p> <p><u>C.A 35/2021 in O.A 229/2021</u></p> <p>Shri A. Nairkar & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Pooja Mankoji holding for Shri S.S Dere, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel seeks time to file rejoinder. Time granted. Learned counsel is directed to serve copy of the rejoinder on the Respondents before 7.11.2023.</p> <p>3. The matter will be heard finally on 22.11.2023 and no adjournment will be granted.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p>