

**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">Date: 18.12.2024</p> <p align="center">O.A. No.1614 of 2024</p> <p>R.D. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri K.R. Jagdale, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant states that Applicant who belongs to cadre of 'Head Clerk/ Shirestedar' in establishment of 'Settlement Commissioner & Director of Land Records, Maharashtra State, Pune' and presently working in office of 'District Superintendent of Land Records; Ratnagiri District' has been transferred by 'Order' dated 11.10.2024 of 'Settlement Commissioner & Director of Land Records, Maharashtra State, Pune' to post of 'Head Clerk/ Shirestedar' in office of 'Superintendent of Land Records, Mumbai City District'.</p> <p>3. Learned Advocate for Applicant there upon mentions that for unknown reasons Applicant has still not been relieved by 'District Superintendent Land Records, Ratnagiri District'. Hence it is apprehended that 'Order' dated 11.10.2024 of 'Settlement of Commissioner & Director of Land Records, Maharashtra State, Pune' about transfer of Applicant to post of 'Head Clerk/ Shirestedar' in office of 'Superintendent of Land Records, Mumbai City District' on 'Compassionate Grounds' may be revoked due to 'Shortage of Staff' in cadre of 'Head Clerk/ Shirestedar'. The Applicant will then be compelled to continue serving on post of 'Head Clerk/Shirestedar' in office 'District Superintendent Land & Records, Ratnagiri'.</p> |

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| | <p>4. The 'Settlement Commissioner & Director of Land Records, Maharashtra State, Pune' is thus informed not to revoke 'Order' dated 11.10.2024 regarding transfer of Applicant to post of 'Head Clerk/Shirestedar' in office of 'Superintendent the Land Record, Mumbai City District' which is on grounds of 'Husband' & 'Wife' to be posted together as per GAD GR dated 09.04.2018. Further; some local arrangement be directed to be made by 'District Superintendent of Land Records; Ratnagiri District' within next 'Four Weeks'; for implementation of 'Order' dated 11.10.2024 of 'Settlement Commissioner & Director of Land Records, Maharashtra State, Pune'.</p> <p>5. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>6. Issue notice before admission returnable on 03.01.2025</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>10. 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>11. S.O. to 03.01.2025.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

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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: 18.12.2024</p> <p>O.A. No.1479 of 2024</p> <p>S.A. KatkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 'Status Quo' to continue till 'Next Date'.</p> <p>3. S.O. to 08.01.2025.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p> |

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| | <p align="center">Date: 18.12.2024</p> <p align="center">O.A. No.1035 of 2024 with O.A. No.1036 of 2024 with O.A. No.1039 of 2024 with O.A. No.1040 of 2024 with O.A. No.1047 of 2024 with O.A. No.1055 of 2024</p> <p>V.S. Jagate E.N. Kadam V.B. Jawane P.M. Bhingare S.G. Korabu R.S. JadhawarApplicant</p> <p>Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicant through 'Video Conference', Shri A.J, Chougule, Shri A.D. Gugale and Smt K.S. Gaikwad learned Presenting Officer for the Respondents.</p> <p>2. Learned PO files 'Affidavit-in-Reply' on behalf of Respondent Nos. 1 and 2 in O.A. No. 1035/2024, O.A. No. 1036/2024, O.A. No.1039/2024, O.A. No. 1040/2024 and O.A. No. 1047/2024. It is taken on record.</p> <p>3. 'Interim Relief', if any to continue till 'Next Date'.</p> <p>4. S.O. to 09.01.2025.</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">AGR</p> |

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| | <p>Date: 18.12.2024</p> <p>O.A. No.1338 of 2024</p> <p>G.U. RathodApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Smt Punam Mahajan, learned Advocate for Respondent No.4 through 'Video Conference'.</p> <p>2. 'Interim Relief', if any to continue till next date.</p> <p>3. S.O. to 06.01.2025.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p> |

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| | <p align="center">Date: 18.12.2024</p> <p align="center">O.A. No.577 of 2024</p> <p>S.N. KhamitkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicant through 'Video Conference' and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief', if any to continue till 'Next Date'.</p> <p>3. S.O. to 03.01.2025</p> <p align="right">Sd/- (Debashish Chakrabarty) Member (A)</p> <p align="center">AGR</p> |

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|---|--|
| | <p style="text-align: center;">O.A. No.1389 of 2024</p> <p>N.M. RaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.2. Learned PO files 'Affidavit-in-Reply' on behalf of Respondent. It is taken on record.3. S.O. to 08.01.2025. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">AGR</p> |

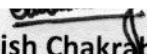
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| | <p>O.A. No.1345 of 2024 (Caveat No. 44/2024)</p> <p>Y.H. DhaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri S.S. Dere, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents. Shri A.V. Bandiwadekar, learned Advocate for Respondent No.2.</p> <p>2. 'Status Quo' to continue till 'Next Date'.</p> <p>3. S.O. to 07.01.2025.</p> <p style="text-align: right;">Sd/-  (Debashish Chakrabarty) Member (A)</p> <p>AGR</p> |

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| | <p>Date: 18.12.2024</p> <p>O.A. No.1031 of 2024</p> <p>D.B. AhireApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri U.V. Bhosle, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents and Smt. Punam Mahajan, learned Advocate for Respondent No.4.</p> <p>2. Learned PO files 'Affidavit-in-Reply' on behalf of Respondent No. 3. It is taken on record.</p> <p>3. S.O. to 08.01.2025</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p> |

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| | <p>Date: 18.12.2024</p> <p>O.A. No.1328 of 2024</p> <p>R.R. SalunkheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none">1. Shri S.S. Dere, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.2. Learned PO files 'Affidavit-in-Reply' on behalf of Respondent. It is taken on record.3. 'Interim Relief', if any to continue till 'Next Date'.4. S.O. to 13.01.2025. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p> |

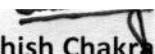
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| | <p>Date: 18.12.2024</p> <p>O.A. No.1108 of 2024 with O.A. No. 1109 of 2024</p> <p>S.A. MalbariApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Smt. Punam Mahajan, learned Advocate for the Applicant through 'Video Conference' and Smt. K.S. Gaikwad and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. 'Interim Relief', if any to continue till 'Next Date'.</p> <p>3. S.O. to 09.01.2025</p> <p style="text-align: right;">Sd/-  (Debashish Chakrabarty) Member (A)</p> <p style="text-align: center;">AGR</p> |

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| | <p style="text-align: center;"><u>M.A.605/2024 in O.A.847/2021</u></p> <p>R.V. Bhale ... Applicant Vs. The State of Mah. &Ors. ... Respondents</p> <p style="text-align: center;"><u>Speaking to Minutes</u></p> <p>1. Shri M.B. Kadam, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents are present.</p> <p>2. In line No.6 of Para No.2, the word 'Head Clerk' be substituted by word 'Superintendent' and in line No.7, the word 'Superintendent' be substituted by word 'Government Labour Officer, Class-II'.</p> <p>3. Similarly, in line No.5 of Para 3, the word 'Head Clerk' be substituted by word 'Superintendent' and in line No.6, the word 'Superintendent' be substituted by word 'Government Labour Officer, Class-II'.</p> <p>4. The said corrections be made accordingly.</p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;"> <p><i>Sd/-</i> (Debashish Chakrabarty) Member-A 18.12.2024</p> </div> <div style="text-align: center;"> <p><i>Sd/-</i> (Mridula Bhatkar, J) Chairperson 18.12.2024</p> </div> </div> <p>(skw)</p> |

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| | <p>Date: 18.12.2024</p> <p>O.A. No.1594 of 2024</p> <p>M.R. PanditApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Shri Nagargoje, learned Advocate for the Applicant and Shri A.J. Chougule, 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 22.01.2025 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. 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 <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. 8. S.O. to 22.01.2025. <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> |

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| | <p align="center"><u>O.A. No.1239 of 2024</u></p> <p>K.Y. Bhajanawale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO files reply of respondent no.1.</p> <p>3. Ld. Advocate for the applicant prays for interim relief in terms of prayer clause 10(b) which reads as under:</p> <p>“10(b) Pending the hearing and final disposal of this OA, this Hon'ble Tribunal may be pleased to direct the Respondents to retain the Head Quarter of the petitioner at Solapur while under suspension instead of being kept in the office of Sub Divisional Agriculture Officer, Pune.”</p> <p>4. Interim relief is granted in terms of prayer clause 10(b). The exact office address where the applicant should report during the period of suspension is to be informed by the respondents to the applicant.</p> <p>5. S.O. to 14.1.2025.</p> <p align="right">Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> <p>(sgj)</p> |

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| | <p style="text-align: center;"><u>O.A. No.181 of 2024</u></p> <p>A.N. Kotangle ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri Manoj Savardekar h/f Shri P.G. Kathane, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents are present.</p> <p>2. Dr. Shriniwas Dhure, Principal, Sydneham College, Churchgate, Mumbai is present in the Court.</p> <p>3. Ld. PO submits that Dr. Dhure, the Principal has sent a report to the Govt. and instructions are sought. Dr. Dhure concur. The Ld. PO to ensure that the Govt. response is received before the next date.</p> <p>4. S.O. to 13.1.2025.</p> <div style="text-align: right; margin-top: 20px;"> <p>Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> </div> <p>(sgj)</p> |

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Date: 18.12.2024

M.A. No.759 of 2024 in O.A. No.1368 of 2024

S.G. Thatare & Ors.Applicant

Versus

The State of Maharashtra & Ors.Respondents.

1. Smt. A.S. Kolapkar, learned Advocate through Video-Conference holding for Shri A.S. Gaikwad, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned CPO seeks time to file 'Affidavit-in-Reply' on behalf of Respondent. Time as prayed for is granted to learned CPO.

3. S.O. to 15.01.2025.

**Sd/-
(A.N. Karmarkar)
Member (J)**

**Sd/-
(Debashish Chakrabarty)
Member (A)**

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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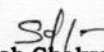
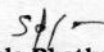
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| | <p align="center"><u>O.A.589/2024</u></p> <p>H.R. Kurhade ... Applicant Vs. The State of Mah. &Ors. ... Respondents</p> <p>1. Shri R.B. Khot, learned Advocate for Applicant, Ms. S.P. Manchekar, learned CPO for Respondent Nos.1 to 4 and Shri Swaraj Jadhav, learned Advocate for Respondent No.5 are present.</p> <p>2. We request Mr. Milind Mhaiskar, Principal Secretary, Public Health Department to look into this matter and also have discussion with CPO and consider whether 'Recruitment Rules' are to be reviewed on the point of 'Physical Requirement' and also consider whether present Applicant or Respondent No.5 can be accommodated in any other Class-IV posts which are advertised pursuant to same Advertisement of 28.08.2023.</p> <p>3. S.O. to 10th January, 2025.</p> <p align="center">  (Debashish Chakrabarty) Member-A 18.12.2024 </p> <p align="center">  (Mridula Bhatkar, J) Chairperson 18.12.2024 </p> <p>(skw)</p> |

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| | <p align="center"><u>O.A. No.856 of 2024</u></p> <p>N.K. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant is filing affidavit of the applicant reflecting the reports submitted to the senior formation regarding show cause notice, memo etc. issued to the subordinate staff and the same is taken on record.</p> <p>3. S.O. to 6.1.2025.</p> <p align="right">Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.1390 of 2024</u></p> <p>C.D. Jadhav ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri C.T. Chandratre, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO files reply of respondent.</p> <p>3. Ld. Advocate for the applicant seeks time.</p> <p>4. S.O. to 15.1.2025.</p> <p align="right">Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.1123 of 2024</u></p> <p>V.V. Prabhu ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO states that parawise comments are received and seeks time to file reply.</p> <p>3. S.O. to 9.1.2025.</p> <p align="right">Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> <p>(sgj)</p> |

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| | <p align="center"><u>O.A. No.879 of 2024</u></p> <p>D.J. Ghadge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.D. Gugale, learned Presenting Officer for the Respondents are present.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 9.1.2025.</p> <p align="right">Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p align="center"><u>O.A. No.655 of 2024</u></p> <p>Dr. Sayed A.B. Ahmed ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Manish S. Kelkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO files reply of respondent no.1 & 2.</p> <p>3. Ld. Advocate for the applicant tenders a copy of order dated 12.12.2024 passed by the Hon'ble High Court in W.P. No.8172/2024 and seeks time.</p> <p>4. S.O. to 11.2.2025. Interim relief to continue.</p> <p align="right">Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| | <p style="text-align: center;"><u>O.A. No.503 of 2024</u></p> <p>R.A. Joshi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 13.1.2025.</p> <p style="text-align: right;">Sd/- (A.M. Kulkarni) Member (A) 18.12.2024</p> <p>(sgj)</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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|---|-------------------|
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O.A. No.488 of 2024

P.V. Thokal

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

Heard Shri D.B.Khaire, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Ld. PO to take instructions and update all the record including copy of charge sheet prepared relating to suspension, review etc.

3. S.O. to 8.1.2025.

Sd/-

(A.M. Kulkarni)
Member (A)
18.12.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|-------------------|
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O.A. No.1565 of 2023

P.W. Mechkar

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

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

2. The respondents are directed to pay all the payments due to the applicant within six weeks from today i.e. before 5.2.2025.

3. S.O. to 10.2.2025. Hamdast.

Sd/-

(A.M. Kulkarni)
Member (A)
18.12.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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O.A. No.344 of 2024

D.S. Mane ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Ld. Advocate for the Applicant is absent.

2. Ld. PO seeks time to file reply.
3. S.O. to 9.1.2025.

Sd/-

(A.M. Kulkarni)
Member (A)
18.12.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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

O.A. No.1593 of 2023

S.S. Mohite & 4 Ors. ..Applicants
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri A.D. Gugale, learned Presenting Officer for the Respondents. Applicant and Ld. Advocate for the applicants both are absent.

2. S.O. to 8.1.2025 for Dismissal.

Sd/-

(A.M. Kulkarni)
Member (A)
18.12.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

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

O.A. No.1354 of 2023

A.M. Patil ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Shri N.W. Sawant, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents are present.

2. Ld. Advocate for the applicant seeks time to file rejoinder.

3. S.O. to 7.1.2025.

Sd/-

(A.M. Kulkarni)
Member (A)
18.12.2024

(sgj)

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

Tribunal's orders

Date : 18.12.2024

O.A.No.1542/2024

A.K. Ingale

....Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Upasani, learned Counsel for the Applicant and Mr. D.R. Patil, 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 05.02.2025

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.

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.

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 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.

11. Adjourned to 05.02.2025.

SD/-

SD/-

(A.M. Kulkarni)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 18.12.2024

M.A.No.743/2024 in O.A.No.1542/2024

A.K. IngaleApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.R. Upasani, learned Counsel for the Applicant and Mr. D.R. Patil, learned Presenting Officer for the Respondents

2. M.A.No.743/2024 is filed seeking condonation of delay of three months for filing O.A.No.1542/2024.

3. Learned Counsel has submitted that applicant has retired on 28.02.2011 and he challenges order dated 25.08.2023 giving decision of refusal of monetary benefits and increment for the period from 04.06.2024 to 27.01.2011. He has submitted that the period of one year from 25.08.2023 to 24.08.2024 is to be excluded as O.A. is filed on 02.12.2024. Thus the period of limitation is to be computed from 24.08.2024 to 02.12.2024. He has submitted that the impugned order passed on 25.08.2023 was received by the applicant on 31.08.2023 and thereafter the applicant took time for the legal consultation. Hence, delay of three months is justified.

4. Learned P.O. opposes this M.A.No.743/2024 seeking condonation of delay.

5. Considered submissions of both the parties. In view of the above, the chronological sequence of cause of action and incidents till today the reasons given by the applicant for delay are found reasonable and justifiable, M.A. is allowed..

Sd/-
(A.M. Kulkarni)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

O.A.1607/2024

A.G. Nigade ... Applicant
Vs.
The State of Mah. &Ors. ... Respondents

1. Shri S.S. Dere, learned Advocate for Applicant and Shri D.R. Patil, learned PO for Respondents are present.
2. The learned Advocate for Applicant submits that Applicant wants to go for PSI Training and therefore he is pressing for 'Interim Relief'.
3. The matter is filed today. We are not granting 'Interim Relief' now.
4. The learned PO seeks time to file 'Affidavit-in-Reply'. Time granted.
5. Issue notice returnable on 02.01.2025.
6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly 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.
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. 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.
10. 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.
11. Matter is fixed on 2nd January, 2025 to argue on 'Interim Relief' under the caption of 'Urgent Admission'.

skw
(A.M. Kulkarni)
Member-A
18.12.2024

skw
(Mridula Bhatkar, J)
Chairperson
18.12.2024

(skw)

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

Tribunal's orders

Date : 18.12.2024

O.A.no.1586/2024

S.V. PisalApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Purva Pradhan holding for Mr. V.S. Kadam, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents

2. Matter is heard at length. Learned Counsel seeks time to take instructions.

3. Today, Mr. Pawar, Deputy Director Health Services (through vide conference) and Mr. Arif Sayyad, Chief Administrative Officer, Pune Circle, Pune is present for instructions.

4. Adjourned to 20.12.2024. FOB To be shown under the caption 'Urgent Admission.'

SD/-
(A.M. Kulkarni)
Member (A)

SD/-
(Mridula Bhatkar, J.)
Chairperson

prk

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 18.12.2024</p> <p>M.A.No.761/2024 in O.A.No.1579/2024</p> <p>S.N. GavitApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Prasenjeet Kirtikar holding for Mr. Nirbhavane, learned Counsel for the Applicant and Mr. A.D. Gugale, learned Presenting Officer for the Respondents</p> <p>2. M.A.No.761/2024 is filed seeking condonation of delay of one year and six months for filing O.A.No.1579/2024.</p> <p>3. Applicant challenges termination order dated 13.05.2022 in the O.A. which is filed on 11.12.2024. Learned Counsel has submitted that he has served to all Respondents on 10.12.2024 however, he seeks time to file affidavit of service.</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 22.01.2025</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>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 seven days or service report on affidavit is not filed three 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>10. Adjourned to 22.01.2025.</p> <p>SD/- SD/-</p> <p>(A.M. Kulkarni) (Mridula Bhatkar, J.) Member (A) Chairperson</p> <p>prk</p> |

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

Tribunal's orders

Date : 18.12.2024

O.A.no.1563/2024

V.S. TirankarApplicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Punam Mahajan, learned Counsel for the Applicant (through video conference) and Ms. S.P. Manchekar, learned Chief 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 19.12.2024

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.

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 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.

8. Adjourned to 19.12.2024. To be placed under the caption 'Urgent Admission'.

SD/-

(A.M. Kulkarni)
Member (A)

SD/-

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 18.12.2024

O.A.No.1600/2024

S.S. Sonawane & Ors.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Tushar Wankhede holding for M/S. Talekar & Asso., learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

2. Learned P.O. has submitted that in O.A. pages from 61 to 67, 82, 83, 93 to 104 are not legible.

3. Learned Counsel is directed to supply copies forthwith.

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

5. Issue notice before admission returnable on 19.12.2024

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.

7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

8. 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.

9. In case notice is not collected within seven days or service report on affidavit is not filed three 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.

10. Adjourned to 19.12.2024 at 2.30 pm.

SD/-

SD/-

(A.M. Kulkarni)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 18.12.2024

M.A.No.772/2024 in O.A.No.1600/2024

S.S. Sonawae & Ors.Applicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. Tushar Wankhede holding for
M/S. Talekar & Asso., learned Counsel for the
Applicant and Ms. K.S. Gaikwad, learned Presenting
Officer for the Respondents

2. M.A.No.772/2024 is filed seeking leave to
sue jointly.

3. Considering the cause of action pursued by
the Applicants is common, concurrent and usual,
the cases are not required to be decided separately.

4. In this view of the matter, the present Misc.
Application is allowed subject to Applicants paying
requisite court fees, if not already paid.

5. M.A.No.772/2024 is allowed.

SD/-

SD/-

(A.M. Kulkarni)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p align="center">Date : 18.12.2024</p> <p align="center">O.A.No.1557/2024</p> <p>S.S. JadhavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Kalyani Mangane, learned Counsel for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents</p> <p>2. Learned Counsel has submitted that copies of O.A. are served to all the Respondents and affidavit of service is placed on record.</p> <p>3. Learned Counsel has submitted that the applicant was appointed on 12.03.2024. She has filed Writ Petition No.34566/2024 on 30.11.2024 against Respondent No.1, Savitribai Phule Pune, University and Respondent No.2, Maratha Vidya Prasarak Samaj's K.S.K.W. Arts, Science, Commerce College and the Hon'ble High Court in the said matter has issued notice and adjourned the said Writ Petition. The said W.P. is listed on today's board i.e. 18.12.2024.</p> <p>4. Learned Counsel has pointed out to letter dated 28.09.2024, Exhibit-M. She has submitted that in the applicant has applied for Paramedical Council Registration Certificate on 20.12.2023. Learned Counsel has pointed out that the applicant has maintained her explanation of 23.09.2023 and preferred representation on 30.10.2024. The Applicant has submitted that one post is to be kept vacant as she was terminated from her services.</p> <p>5. Considering the grievance of the applicant and reply given by Paramedical Council, it appears that the applicant is having main grievance with regard to College or University which cannot be entertained before this Tribunal. This Tribunal has power to pass judicial review for acts and Orders issued by the State Government, if the Tribunal finds that the orders are not consistent with any provision. Notice was given and the period of six</p> |

Office Notes, Office Memoranda of Coram,
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months to procure the Paramedical Council Registration Certificate was given by the Applicant. It appears that the Department has followed the procedure. Applicant has filed Writ Petition which is adjourned on today's board before the Hon'ble High Court. Under such circumstances, prayer of keeping one post vacant cannot be granted at this stage by this Tribunal. The Tribunal has no jurisdiction for the relevant prayers and grievances made by the applicant. At the request of learned Counsel matter kept alive.

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

7. Issue notice before admission returnable on 10.01.2025

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.

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.

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.

11. In case notice is not collected within seven days or service report on affidavit is not filed three 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.

12. Adjourned to 10.01.2025.

Sd/-
(A.M. Kulkarni)
Member (A)

Sd/p
(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 _____

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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 : 18.12.2024</p> <p>O.A.No.1219 of 2024</p> <p>C. A. MeshramApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri G. A. Bandiwadekar, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents.2. Learned P.O. seeks time to file Affidavit in Reply.3. S.O. to 03.01.2025. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

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

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|---|---|
| | <p>Date : 18.12.2024</p> <p>O.A.No.857 of 2024</p> <p>S. B. Bote & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Ms V. R. Katariya, learned Counsel for the Applicant through video conference and Smt. Archana B. K., learned Presenting Officer for the Respondents.2. Today, learned P.O. has filed Affidavit in Reply on behalf of Respondent Nos.2 and 4. It is taken on record.3. Learned P.O. submits that Affidavit in Reply on behalf of Respondent Nos.5 and 6 have already filed and further states that Reply on behalf of Respondent Nos.1 and 3 is not necessary.4. Learned Advocate for Applicant does not wish to file Rejoinder.5. The matter is admitted and kept for final hearing.6. S.O. to 27.01.2025. <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

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| | <p>Date : 18.12.2024</p> <p>O.A.No.1324 of 2023</p> <p>B. B. SaradeApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri Atish Kaningdhwaj, learned Counsel for the Applicant through video conference and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2: Learned Counsel for Applicant submits that today he is going to file Affidavit of Service and also to serve copy of O.A. to the office of CPO.</p> <p>3. S.O. to 23.01.2025.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 18.12.2024</p> <p>O.A.No.1402 of 2023</p> <p>M. Y. BagulApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Ms Riddhima Bhandewalkar holding for Shri S. S. Prabhune, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents2. Learned P.O. seeks time to file Affidavit in Reply.3. S.O. to 10.01.2025. <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p>Date : 18.12.2024</p> <p>O.A.No.1436 of 2024</p> <p>Dr. V. N. MusaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri J. S. Deshmukh, learned Counsel for the Applicant through video conference and Shri D. R. Patil, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file Affidavit in Reply and submits that he will file reply positively after vacation.</p> <p>3. S.O. to 09.01.2025.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p align="center">Date : 18.12.2024</p> <p align="center">O.A.No.1438 of 2024</p> <p>V. D. DhepeApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant, Shri D. R. Patil, learned Presenting Officer for the Respondents and Shri N. Bhavake holding for Shri P. R. Bhavake, learned Advocate for Respondent No.2 & 3. 2. Today, learned Advocate for Respondent Nos.2 and 3 has filed Affidavit in Reply. It is taken on record. 3. Learned P.O. seeks time to file reply on behalf of Respondent No.1. Time granted. 4. S.O. to 09.01.2025. <p align="center">Sd/-</p> <p align="center">(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|--|---|
| | <p>Date : 18.12.2024</p> <p>O.A.No.1469 of 2024</p> <p>P. V. BhaleraoApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri P. M. Nagargoje, learned Counsel for the Applicant and Shri A. D. Gugale, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks time to file Affidavit in Reply.</p> <p>3. S.O. to 13.01.2025.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

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Original Application No. of 20

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 18.12.2024</p> <p>O.A.No.611 of 2024</p> <p>T. M. A. KhanApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors.Respondents.</p> <ol style="list-style-type: none">1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri D. R. Patil, learned Presenting Officer for the Respondents2. The matter is admitted and kept for final hearing with liberty to file Sur-Rejoinder.3. S.O. to 27.02.2025. <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 18.12.2024</p> <p>O.A.No.511 of 2024</p> <p>R. B. Bhil & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents2. Perused the earlier order dated 26.11.2024.3. Learned P.O. submits that he has not received detail information from the concerned department and seeks time to file reply.4. S.O. to 20.12.2024. <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

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Original Application No. _____ of 20

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date : 18.12.2024</p> <p>O. A. No.54 of 2024</p> <p>S. S. JagdaleApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. The Applicant and his Counsel are absent. Shri A. J. Chougule, learned Presenting Officer for the Respondents is present. None for Respondent No.4.</p> <p>2. Learned Advocate for Applicant to file Rejoinder positively on next date.</p> <p>3. S.O. to 20.01.2025.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|--|--|
| | <p>Date : 18.12.2024</p> <p>O.A.No.1562 of 2023</p> <p>D. B. Tamhane & Ors.Applicants</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Ms Mahimkar holding for Smt. Punam Mahajan, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.2. The matter is filed in December 2023.3. Learned P.O. to file reply positively on next date.4. S.O. to 17.01.2025. <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

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

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Original Application No. of 20

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|--|---|
| | <p>Date : 18.12.2024</p> <p>O.A.No.1325 of 2023</p> <p>T. B. BorateApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors.Respondents.</p> <p>1. Heard Shri D. B. Khaire, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The mater is admitted and kept for final hearing.</p> <p>3. S.O. to 21.02.2025.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p align="center">Date : 18.12.2024</p> <p align="center">O.A.No.1127 of 2023</p> <p>A. S. NimbalkarApplicant</p> <p align="center">Versus</p> <p align="center">The State of Maharashtra &Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms Priyanka Hande holding for Shri A. S. Dhannawat, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned Advocate for Applicant has filed Rejoined. It is taken on record. 3. The matter is admitted and kept for final hearing with liberty to file Sur-Rejoinder, if any. 4. S.O. to 20.02.2025. <p align="center">Sd/-</p> <p align="center">(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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|---|---|
| | <p>Date : 18.12.2024</p> <p>O.A.No.807 of 2024</p> <p>T. M. GargeApplicant</p> <p>Versus</p> <p>The State of Maharashtra &Ors. ...Respondents.</p> <p>1. Heard Shri B. A. Bandiwadekar, learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents</p> <p>2. Learned P.O. has submitted that meeting of Review Committee is already held on 11.12.2024. The copy of Review Committee Minutes is made available. It is taken on record and marked by letter 'X' for identification.</p> <p>3. The Applicant to take note of it.</p> <p>4. S.O. to 13.01.2025.</p> <p>Sd/-</p> <p>(A. N. Karmarkar) Member (J)</p> <p>vsm</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|---|
| | <p align="center">Date: 18.12.2024</p> <p align="center">M.A. No.719 of 2024 in M.A. No.718 of 2024 in O.A. No.292 of 2019</p> <p>S.A. SawantApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant states that she will serve the copy of M.A. No.719 of 2024 in M.A. No.718 of 2024 in O.A. No.292 of 2019 to the Respondents before 'Next Date'.</p> <p>3. At the request of learned Advocate for Applicant, M.A. No.719 of 2024 in M.A. No.718 of 2024 in O.A. No.292 of 2019 is adjourned to 16.01.2025.</p> <p align="center">Sd/- (A.N. Karmarkar) Member (J)</p> <p align="center">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 _____

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Original Application No. _____ of 20 _____

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| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date: 18.12.2024</p> <p align="center">C.A. No.31 of 2024 in O.A. No.394 of 2022</p> <p>D.K. KokaneApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'Two Weeks' time to file 'Affidavit-in-Reply' on behalf of Respondent. Time as prayed for is granted to learned P.O. by way of 'Final Chance'.</p> <p>3. S.O. to 09.01.2025.</p> <p align="center">Sd/- (A.N. Karmarkar) Member (J)</p> <p align="center">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 _____

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FARAD CONTINUATION SHEET No.

| Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders | Tribunal's orders |
|---|--|
| | <p>Date: 18.12.2024</p> <p align="center">C.A. No.71 of 2024 in O.A. No.342 of 2024</p> <p>S.S. ShaikhApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Shri B.A. Bandiwadekar, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. Shri A.A. Deshpande, learned Advocate for the Respondent No.1. Shri B.B. Thoke, learned Advocate for the Respondent No.5 & 6 is absent.</p> <p>2. Learned Advocate for Respondent No.1 files 'Affidavit-in-Reply' on behalf of 'Respondent No.1'. It is taken on record.</p> <p>3. Learned Advocate for Applicant seeks time to file Rejoinder, if any. Time as prayed for is granted to learned Advocate for Applicant.</p> <p>4. S.O. to 15.01.2024</p> <p align="center"> Sd/- (A.N. Karmarkar) Member (J) </p> <p align="center"> Sd/- (Debashish Chakrabarty) Member (A) </p> <p align="center">NMN</p> |

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

ORIGINAL APPLICATION NO 1217 OF 2024

DISTRICT : PUNE

Shri Ishwar Damu Kamble)
Working as Superintendent of Police)
Wireless, West Zone, Pashan Road,)
Chavannagar, Pune 411 008.)
R/o: C-101, 102 Shubhamkaroti Apt.)
Vishalnagar, Pune.)...**Applicant**

Versus

1. The State of Maharashtra)
Through Addl. Chief Secretary)
Home Department, Mantralaya)
Mumbai 400 032.)
2. The Chief Secretary,)
General Administration Dept,)
Madam Cama Road,)
Hutatma Rajguru Chowk,)
Mumbai 400 032.)
3. Director General of Police,)
Maharashtra State, Mumbai,)
Maharashtra Police Headquarter)
Shahid Bhagat Singh Marg,)
Colaba, Mumbai 400 001.)...**Respondents**

Smt Punam Mahajan, learned advocate for the Applicant.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : **Justice Mridula Bhatkar (Chairperson)**
Shri A.M Kulkarni (Member) (A)

DATE : **18.12.2024**

PER : **Justice Mridula Bhatkar (Chairperson)**


ORDER

1. The applicant prays that the Respondent No. 1 be directed to consider the applicant for promotion and if found fit to issue the promotion order to the post of Deputy Inspector General of Police, Communication and Technology (Headquarter), Pune with all consequential service benefits such as deemed date of December, 2021 within a period of one month.

2. Learned counsel for the applicant has pointed out that for last 34 years the Respondent-State has not prepared the Recruitment Rules for the post of Deputy Inspector General of Police, Communication and Technology. However, for the said purpose, the rules in the Maharashtra Police Manual, 1999 are relied upon. She pointed out to Volume-I, Rule 51(a) of the Maharashtra Police Manual, 1999. Learned counsel submitted that for the promotion to the post of Deputy Inspector General of Police, Communication and Technology, Superintendent of Police is the feeder cadre. Learned counsel for the applicant has further submitted that earlier Shri Sandeep Diwan, IPS was posted on the post of Deputy Inspector General of Police, Communication and Technology. However, he was transferred by order dated 20.7.2024

and since then the said post is vacant. Learned counsel further submitted that the applicant has submitted representation dated 22.8.2024, 29.8.2024, 4.9.2024 and 9.9.2024 to the Respondents. However, no reply is given on the said representations. There are two posts of Deputy Inspector General of Police, Communication and Technology, one in Mumbai and one in Pune. However, the post in Pune is downgraded by the Government by order dated 12.12.2024. Learned counsel submits that the applicant is retiring on 31.12.2024. Learned counsel further submits that he has excellent service record and he is recipient of Presidential Award. Further no departmental enquiry is pending against him. Learned counsel submits that however, the departmental has not taken steps promptly to consider his case for promotion and therefore the applicant is deprived of his fundamental right of being considered for promotion to the post of Deputy Inspector General of Police, Communication and Technology. Learned counsel therefore prays that the applicant is to be promoted to the post of Deputy Inspector General of Police, Communication and Technology, as he is retiring on 31.12.2024. Learned counsel therefore submitted that the Respondent-State can issue the order of promotion of the applicant by taking speedy steps.


3. Learned C.P.O submits that the Respondent-State in Home Department is in the process of finalizing the recruitment rules for the post of Deputy Inspector General of Police, Communication and Technology. However, the General Administration Department has issued a letter to the Director General of Police, Maharashtra State, Mumbai, that though the recruitment rules are yet to be framed and as the applicant is retiring on 31.12.2024, as a special case, he is to be considered for promotion to the post of Deputy Inspector General of Police, Communication and Technology.



4. Learned counsel for the applicant on the point of inaction on the part of the Government, Respondent-State has relied on the decision of the Hon'ble Supreme Court in the case of **Union of India & Anr Vs. Hemraj Singh Chauhan & Ors (2010) 4 SCC 290**

5. In the present case, the crucial point for consideration is the date of retirement of the applicant, i.e., 31.12.2024. Hence, the time margin is short. It is necessary to point out that the post was lying vacant since 25.7.2024. The applicant has made various representations pointing out that he is eligible to be considered for promotion to the post of Deputy Inspector General of Police, Communication and Technology, in view of his good record and also as per Rule 51(a) of the Maharashtra Police Manual, 1999.

6. It is to be noted that for last 34 years the Respondent-State did not frame the Recruitment Rules and now they are in the process of framing the Recruitment Rules for the post of Deputy Inspector General of Police, Communication and Technology. This cannot be a ground for denying promotion to any Government servant when there was sufficient time of four months for the Respondent-State to consider the case of the applicant for promotion to the post of Deputy Inspector General of Police, Communication and Technology. Despite of the timely representations dated 29.8.2024, 4.9.2024 and 9.9.2024 to various competent authorities, the representations were not considered and never answered. However, the General Administration Department giving a favourable report on 12.12.2024 is a very important and positive step. Now, the office of the Director General of Police is required to submit proposal to the Government. We believe that all the officials are very efficient and sensitive enough to take note of the peculiar issue of the applicant. To be considered for promotion is a fundamental right




of each Government servant. Further in case of the applicant there is no legal impediment.

7. We cull out the ratio laid down in the case of **Hemraj Singh (supra)**. It is held that if there is a total inaction on the part of the Government and lackadaisical attitude in discharging its statutory responsibilities and especially when the Government is to act as a model employer which is consistent with its role in a welfare State, then it is necessary for the State to take urgent measures.

8. Hence, we direct the office of the Director General of Police, Maharashtra State, Mumbai, to forward the proposal of the applicant for promotion to the post of Deputy Inspector General of Police, Communication and Technology to the Home Department on or before 21.12.2024 which in turn and if the applicant is found fit for promotion, shall issue necessary order of promotion of the Applicant to the post of Deputy Inspector General of Police, Communication and Technology on or before 30.12.2024.

9. S.O to 2.1.2025.

Sd/-
(A.M Kulkarni)
Member (A)


Sd/-
(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 18.12.2024
Dictation taken by : A.K. Nair.