

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p style="text-align: center;">O.A.No.793 of 2020</p> <p>N. A. BordeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M. B. Kadam holding for Shri L. S. Deshmukh, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents. 2. Learned P.O. has pointed out that Assistant Project Officer, Integrated Tribal Development Project, Ghodegaon, Tal. Ambegaon, Dist. Pune has issued the order dated 18.01.2021 asking the Applicant to join at Chikhalgaon. 3. Shri M. B. Kadam, learned Counsel for the Applicant submits that the Applicant had gone to join at Chikhalgaon in terms of order dated 18.01.2021. 4. This O.A. was filed raising grievance that despite transfer order dated 16.07.2020 passed by Tribal Development Commissioner, Thane, The Head Master of Government Ashram School, Chikhalgaon did not allow the Applicant to join there on the ground that he was not relieved by the Project Officer. 5. Since the Applicant had gone to join at Chikhalgaon, the grievance that he is not allowed to join no more exist. 6. In so far as intervening period from the date of transfer to joining is concerned, the Applicant is at liberty to make necessary representation to redress his grievance which shall be decided by the Respondents in accordance to law. 7. In view of above, Original Application stands disposed of with no order as to costs. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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

19.01.2021

O.A 311/2020

S.J Awale ... Applicant

Vs.

Chief Conservator of Forest
[Territory] Vanvardhan, Kolhapur. ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. The applicant who is prosecuted for the offence under Prevention of Corruption Act which was registered on 21.11.2019 under C.R No. 844/2019 at Satara Police Station is challenging his suspension dated 28.11.2019. The applicant and one Shri Shrikant B. Vasave, were the accused in the said Criminal Case No. 844/2019.

3. In the present O.A, learned counsel for the applicant prays that his suspension order is to be revoked and review is to be taken as per the ratio laid down in the case of **Ajay Kumar Choudhary Vs. Union of India & Ors, (2015) 7 SCC 291**, as the applicant is under suspension for more than 90 days.

4. Learned counsel for the applicant produces judgment and order dated 8.9.2020 in O.A 264/2020 passed by this Tribunal in the matter of Shrikant Bharsingh Vasave Vs. Chief Conservator of Forest & Ors.

5. Learned counsel for the applicant prays that on similar lines this application can also be disposed of.

6. Learned P.O concedes for the same.

7. In view of the above, O.A is disposed of with following directions:-

- (A) The Original Application is allowed.
- (B) Respondents are directed to take review of the suspension of the applicant in terms of G.R dated 14.10.2011 and in the light of observation made by the Hon'ble Supreme Court in Ajay Kumar Choudhary's case and shall appropriate order within four weeks from today.
- (C) The decision, as the case may be, be communicated to the applicant within two week thereafter.
- (D) If the applicant felt aggrieved by the decision, he may avail further remedy in accordance to law.
- (E) No order as to costs.

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

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O.A 645/2020

D.D Mali ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

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

2. Interim relief to continue till next date.

3. S.O to 25.1.2021.

...
 Sd/- *M. Bhatkar*

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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19.01.2021

M.A 199/2020 in O.A 377/2020 with M.A 27/2021 in O.A 48/2021

A.K Bhusare & Ors
S.M Joshi & Ors ... Applicants

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Dr Gunratan Sadavarte, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Misc Applications to sue jointly is allowed, subject to payment of court fees, if not already paid.

Sd/-

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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O.A 279/2020

S.A Shinde ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

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

2. Learned P.O is directed to file affidavit in reply by way of last chance or cost will be saddled.

3. S.O to 16.2.2021.

Sd/-


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

Akn

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

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	<p align="center"><u>19.01.2021</u></p> <p align="center"><u>O.A 349/2020</u></p> <p>V.A Lalbige ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Advocate Asawari Ghate holding for Smt Punam Mahajan, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that Respondents no 2 & 3 have filed affidavit in reply. The same is taken on record and copy served to the learned advocate for the applicant.</p> <p>3. Learned P.O produces the communication between the office of learned C.P.O and Principal Secretary, Social Justice & Social Assistance Department. Copy taken on record and marked as Exh. 1.</p> <p>4. It appears that in view of the order dated 22.12.2020 and the communication from the office of learned C.P.O, the Principal Secretary, Social Justice & Social Assistance Department has ignored the orders of this Tribunal.</p> <p>5. By way of last chance, matter is fixed on 22.1.2021 in all fairness to give an opportunity to the Principal Secretary, Social Justice & Social Assistance Department to file affidavit in reply.</p> <p>6. S.O to 22.1.2021.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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19.01.2021

O.A 275/2020

V.C Kumbhar ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M Kolge, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. It appears that the Respondents have not complied with the orders passed by this Tribunal dated 22.10.2020 & 26.11.2020 conducting review in respect of suspension of the applicant who is suspended on 31.8.2019.

3. Matter is fixed for final hearing on 25.1.2021 at 2.30 pm.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p style="text-align: center;"><u>M.A 173/2020 in O.A 308/2020</u></p> <p>S.M Agawane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the Respondents are in the process of making payment to the applicant and seeks one months' time.</p> <p>3. Learned counsel Mr Bhosle admits that part payment is received by the applicant.</p> <p>4. In view of the above, matter stands adjourned to 1.3.2021.</p> <p style="text-align: right;">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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19.01.2021

O.A 20/2021

N.K Gaikwad ... Applicant
 Vs.
 The State of Maharashtra & Ors ... Respondents

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

2. Learned advocate for the applicant produces judgment of the Division Bench of Bombay High Court Diwakar Pundlikrao Satpute Vs. Z.P, Wardha and Ors reported in 2004 (3) Mh. L.J 151, in support of his submission that if order of his transfer is void ab initio, then the Government servant is entitled to full salary of the entire period when he opted not to join at the transferred place of posting and remains absent. The D.B has taken a view that the said absence should not be punished, but it is to be paid as the order is illegal.

3. In the present case, the competence of the transferring authority was challenged and the challenge was upheld by order dated 13.2.2019 in O.A 514/2018.

4. Learned P.O prays for time to go through ruling submitted by learned counsel for the applicant.

5. Matter to be removed under the caption of removal.

5. S.O to 25.1.2021.

Sd/-

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

Akn

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

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Original Application No. of 20

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19.01.2021

O.A 752/2020

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

1. Heard Shri Deven Jogdeo, learned advocate for the applicants and Shri A.J chougule, learned P.O for the Respondents.

2. The applicant retired as Section Engineer, from the Water Resources Department, seeks direction for the payment of difference between the pay and allowances as admissible for the post of Assistant Engineer and that of Junior Engineer for the period 1985 to 1991 along with 18% interest and also prays further that he be given difference between pay and allowances admissible for the post of Section Engineer and that of to the various post up to Superintending Engineer for the period 1991 to 2012 when he retired along with 18% int..

3. S.O to 1.3.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p><u>19.01.2021</u></p> <p><u>M.A 332/2020 in O.A 752/2020</u></p> <p>S.A Patil ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Deven Jogdeo, learned advocate for the applicant and Shri A.J chougule, learned P.O for the Respondents.</p> <p>2 For the reasons stated in the Misc Application, the Misc Application seeking condonation of delay is allowed.</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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19.01.2021

O.A 789/2020

A J Haridas ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Smt Punam Mahajan, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.

2. The applicant, who retired as Circle Officer from Revenue Department, in 2018 prays that the Respondents be directed to release all pensionary benefits of the applicant including arrears of difference in provisional pension with interest and also further claims that he should be given the revised pensionary benefits as per 7th Pay Commission along with the arrears.

3. Learned advocate for the applicant submits that till today no D.E is initiated against him and no charge sheet is served on the applicant.

4. On query made to learned P.O, he informs on instructions that no D.E is initiated against the applicant.

5. The Respondents to take note that the applicant has retired on 30.6.2018 and he has to receive the pensionary benefits for which he is entitled to.

6. The Respondent no. 2, Collector is directed to take decision and finalize the pension of the applicant as per 7th Pay Commission and pay to the applicant on or before 23.3.2021.

7. The applicant has also prayed for grant of interest on delayed payment of pensionary benefits in view of Rule 129A & 129B of Maharashtra Civil Services (Pension) Rules, 1982.

8. Learned P.O submits that for payment of interest on delayed payment of pensionary benefits, the applicant is required to move the application before the Government and that will be decided by the Government.

9. In view of this position and as per Maharashtra Civil Services (Pension) Rules, 1982, the Respondents are further directed to decide the application of the applicant regarding payment of interest on delayed payment of pensionary benefits, if made, on or before 25.3.2021.

10. With the above directions, Original Application stands disposed of.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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19.01.2021

O.A 343 & 344/2020

J.R Gahane ... Applicant
Vs.
The State of Maharashtra & Ors ... Respondents

1. Heard Shri G.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.

2. Learned advocate file affidavit in rejoinder in both the matters. Copy is served on learned P.O for the Respondents.

3. Admit. Place for final hearing on 22.2.2021.

Sd/-

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

Akn

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

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19.01.2021

O.A 748/2020

Avinash M Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri G.A Bandiwadekar, learned advocate for the applicants and Shri A.J Chougule, learned P.O for the Respondents.

2. The applicant retired as Administrative Officer, from the office of Commissioner, ESIS, prays for poensionary benefits.

3. Learned advocate for the applicant seeks leave to amend the O.A. Permission granted. Amendment to be carried out forthwith.

4. Respondent are directed to file affidavit in reply before next date.

5. S.O 22.2.2021.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Akn

**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"><u>19.01.2021</u></p> <p align="center"><u>O.A 377/2020 with O.A 48/2021</u></p> <p>A.K Bhusare & Ors [O.A 377/2020] S.M Joshi & Ors [O.A 48/2021]... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Dr Gunratan Sadavarte, learned advocate for the applicants and Smt Kranti S. Gaikwad, learned P.O for the Respondents. 2. Learned P.O submits that she needs copy of the Petition. 3. Learned counsel Dr Sadavarte submits that O.A 377/2020 & O.A 48/2021 are on the same issue. The applicants seek direction that they are entitled to regularization and for all consequential benefits at par with the private Respondents since joining the service in the nature of deemed date. G.R dated 22.2.2018 is relied on by learned advocate for the applicants. The private Respondents need to be served. 4. Issue notice returnable on 15.2.2021. 5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 6. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 7. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week before returnable date or on the same date. Applicant is directed to file affidavit of compliance and notice. 8. S.O to 15.2.2021. <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p>M.A. No.31 of 2021 in O.A.No. 507 of 2020</p> <p>The State of Maharashtra & OrsApplicants (Ori. Respondents)</p> <p>Versus</p> <p>Dr. A. R. Anand ...Respondent (Ori. Applicant)</p> <ol style="list-style-type: none"> 1. Heard Ms S. P. Manchekar, learned Chief Presenting Officer for the Applicants (Ori. Respondents) and Smt S. Ali Kazmi, learned Counsel for the Respondent (Ori. Applicant). 2. This Misc. Application is for grant of 15 days time for compliance of the order passed by this Tribunal on 09.01.2021 whereby impugned order dated 05.08.2020 was quashed and directions were given to the Ori. Respondents to repost the Ori. Applicant within a week which expired on 16.01.2021. 3. This M.A. for extension was filed on 18.01.2021. 4. Learned C.P.O. for the Ori. Respondents submits that the Respondents have moved the file to Law & Judiciary department for seeking its opinion for challenging the decision rendered by this Tribunal, and therefore, sought 15 days time to take further appropriate action. 5. Per contra, learned Counsel for the Ori. Applicant strongly opposed to grant time contending that Ori. Respondents have absolutely no case in view of the reasons recorded by this Tribunal and Ori. Applicant is kept out of service for more than five months without any valid reasons. She has further pointed out that no request for stay was made when the order was pronounced on 09.01.2021. 6. True, no such request was made by learned C.P.O. for stay of the order when it was pronounced. 7. The Ori. Respondents are intending to challenge the order passed by this Tribunal before the Hon'ble High Court and naturally it would require some time to process the file. Therefore, in the interest of justice, I am inclined to grant one week time from today for implementation of the order passed in O.A.No.507/2020 on 09.01.2021. 8. M.A. is accordingly disposed of with no order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.534/2020</u></p> <p>Shri M.V. Patil ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Heard Mrs. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.2. Due to paucity of time, the matter is adjourned for hearing at the stage of admission.3. Interim relief to continue till next date.4. S.O. to 1st February, 2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member-J 19.01.2021</p> <p>(skw)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.241/2019</u></p> <p>Shri V.V. Punathil ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. A.B. Kololgi, learned Presenting Officer for the Respondents.</p> <p>2. After hearing Shri Bandiwadekar, learned Advocate for the Applicant and Smt. Kololgi, learned P.O. for some time, it is noticed that certain aspects are required to be clarified by learned P.O.</p> <p>3. The FIR against the Applicant for the offences under Section 465, 409, 420, 201 of IPC regarding the incidents in the period from 01.06.2011 to 25.08.2015 while the Applicant was in service at Waluj. However, what happened after registration of FIR is not clear. It is, therefore, necessary to know whether investigation is completed and charge-sheet is filed.</p> <p>4. Second aspect is about retiral benefits withheld and released by the Respondents. According to learned Advocate for the Applicant except provisional pension nothing is paid. Whereas, the learned P.O. on oral instructions states that GPF is already paid. There is no reference about it in the reply.</p> <p>5. The learned P.O. seeks time to clarify the above position i.e. in respect of filling of Charge-sheet, stage of Criminal Case, if Charge-sheet is filed and details of payment of GPF.</p> <p>6. In view of above, the learned P.O. is directed to submit the above information on Affidavit along with documents in that behalf.</p> <p>7. Adjourned to 28th January, 2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member-J 19.01.2021</p> <p>(skw)</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p style="text-align: right;">O.A.No. 642 of 2020</p> <p>B. R. GhadgeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard the Applicant in person and Smt. Archana B. K., learned Presenting Officer holding for Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Learned P.O. has filed reply on behalf of the Respondent No.2. It is taken on record. No reply is filed on behalf of the Respondent Nos. 1 and 3. 3. On request of the Applicant, one week's time is granted for filing Rejoinder. 4. In the meantime, Respondent No.2 shall consider the case of the Applicant for giving him posting near to Thane as suggested by this Tribunal in order dated 10.12.2020 and the Tribunal should be apprised about this on next date so that matter can be taken up for hearing if required. 5. S.O. to 29.01.2021. <p style="text-align: right; margin-right: 50px;">Sd/-</p> <p style="text-align: right; margin-right: 50px;">(A.P. Kurhekar) Member(J)</p> <p style="text-align: left; margin-left: 50px;">vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Date : 19.01.2021

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

S. K. Walinjkar

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri Amar Bodke holding for Shri M. V. Thorat , learned Counsel for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. This M.A. is filed for restoration of O.A.No.1172/2019 which was dismissed in default on 20.10.2020.
3. Learned Counsel for the Applicant submits that he was busy in Writ Petitions, and therefore, could not attend this matter when it was called out, and therefore, requested to restore Original Application.
4. Learned P.O. for the Respondents submits that the ground for restoration is not convincing.
5. O.A.No.1172/2019 was filed challenging recovery orders wherein interim relief was granted to the extent of NPA recovery.
6. In the interest of justice and to decide the matter on merit, M.A. is allowed and O.A.1172/2019 is restored to file.
7. M.A. is accordingly disposed of with no order as to costs.

Sd/-

(A.P. Kurhekar)
Member(J)

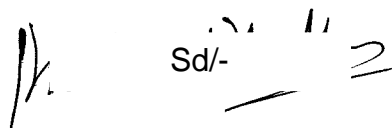
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	<p>Date : 19.01.2021</p> <p align="center">O.A.No.606 of 2020</p> <p>D.L. Landge ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Amar Bodke, learned Advocate i/b. Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The learned C.P.O. seeks time to file affidavit-in-reply.</p> <p>3. Time granted. Adjourned to 02.03.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/-  (Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.01.2021

O.A.No.416 of 2020

D.D. Kamble ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri B.R. Deshmukh, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer holding for Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri Sumit Kate i/b. Shri Uday Warunjikar, the learned Advocate for Respondents No.4 & 5.

2. The learned C.P.O. files affidavit-in-reply on behalf of Respondents No.2 and 3. The learned Advocate Shri Sumit Kate files affidavit-in-reply on behalf of Respondents No.4 and 5.

3. Adjourned to 23.02.2021, with liberty to file rejoinder, if any.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.01.2021

O.A.No.165 of 2020

N.R. Raut ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M. Kolge, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. files reply on behalf of Respondents no.3 and 4. The same is taken on record. The learned C.P.O. informs that reply of Respondents no 1 and 2 is not required.

3. The learned Advocate seeks time to file affidavit-in-rejoinder.

4. Adjourned to 16.02.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.01.2021

O.A.No.418 of 2020

S.P. Pathak ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard R.G. Panchal, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. files reply on behalf of Respondents no.1 and 2. The same is taken on record.

3. Admit. The matter be kept for final hearing on 17.03.2021.


(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar J.)
Chairperson

prk

Sd/-

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

Tribunal's orders

O.A. No.750 of 2020

Dilip R. Jagtap ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. Ld. CPO states that copy of OA is not served. Ld. Advocate for the applicant is directed to serve the office CPO immediately.

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

4. Issue notice before admission returnable on 23.2.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. 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.

Sd/-

(P.N. Dixit)
Vice-Chairman
19.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
19.1.2021

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>M.A. No.354 of 2020 in O.A. No.794 of 2020</u></p> <p>N.N. Chavan & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Abhijeet Desai with Shri Kuldeep Pawar and Shri Amol B. Jagtap, learned Advocates i/b Shri A.S. Pawar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;"> <p>Sd/- _____ (P.N. Dixit) Vice-Chairman 19.1.2021</p> </div> <div style="text-align: center;"> <p>Sd/- _____ (Mridula R. Bhatkar, J.) Chairperson 19.1.2021</p> </div> </div> <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
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Date : 19.01.2021

O.A.No.1216 of 2019

R.A. Patil ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. The learned C.P.O. files affidavit-in-reply. The same is taken on record.
3. The learned Counsel submits that the applicant does not want to file affidavit-in-rejoinder.
4. Admit. The matter is fixed for final hearing on 17.03.2021.

Sd/-

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

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. No.705 of 2020

A.T. Sakore ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri Balasaheb Deshmukh, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The applicant who had appeared in the selection process of Assistant Labour Commissioner prays that the letter/order dated 15.10.2020 issued by respondent no.3 be quashed and set aside and also seeks directions to the respondent no.3 to recommend the name of the applicant and direct respondent no.1 to issue appointment order of the applicant to the post of Assistant Labour Commissioner.

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

4. Issue notice before admission returnable on 16.2.2021.

5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

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

7. 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.

Sd/-

(P.N. Dixit)
Vice-Chairman
19.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
19.1.2021

**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>O.A. No.714 of 2020</u>
	<p>Ravindra N. Bhosale ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Applicant in person is not present.</p> <p>3. The applicant an Ex-Police Naik, Thane has filed appeal on 11.9.2019 against the dismissal order before the appellate authority i.e. the Government. He prays in this OA that the respondent no.1 be directed to decide the appeal. Though party in person is not present, we have applied our mind.</p> <p>4. Ld. PO submits and produces letter dated 28.12.2020 sent by the Dy. Commissioner of Police, HQ-1, Thane City to the office of CPO, MAT, Mumbai informing that two months period is required for deciding the appeal. Copy of the said letter dated 28.12.2020 is taken on record and marked 'X' for identification.</p> <p>5. In view of this, we direct respondent no.1 to decide the appeal of the applicant within three months i.e. on or before 30.4.2021. OA disposed off with these directions.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman 19.1.2021 (sgj)</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 19.1.2021</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.01.2021

O.A.No.1097 of 2019

M.R.M.A. Khan ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Krishna Agarwal, learned Advocate i/b. M/s. Talekar & Asso., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The learned Counsel submits that the applicant has filed the petition before the National Commission for Schedule Tribe. The Committee is constituted by the said Commission and enquiry is yet to be completed. The learned Counsel further submits that the similar issue is placed before the Committee and therefore prays for adjournment.

3. The learned C.P.O. submits that copy of the O.A. is not served to any of the Respondents.

4. There are four respondents so applicant is directed to serve the copy to all the four Respondents within 10 days and thereafter the matter will be heard.

5. Adjourned to 19.03.2021.

Sd/-

(P.N. Dixit)
Vice-Chairman

Sd/-

(Mridula Bhatkar J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.01.2021

O.A.No.1116 of 2019

R.U. Shinde ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. At the request of learned C.P.O., adjourned by way of last chance to 02.02.2021 for filing affidavit-in-reply.

Sd/-

(P.N. Dixit)
Vice-Chairman

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 : 19.01.2021</p> <p>O.A.No.597 of 2018</p> <p>V.B. Panari & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents. None for the Applicants.</p> <p>2. In this O.A. the applicant challenges the promotion order dated 24.05.2018 issued by Respondent no.3 of granting promotion to the Respondents No.4 to 24 on the basis of Recruitment Rules dated 06.06.2018. The Recruitment Rules dated 06.06.2018 is also challenged. The affidavit-in-reply of behalf of Respondents no.5 to 25 is filed by Tejas R. Patil, on 19.11.2019.</p> <p>3. The learned C.P.O. informs that the Recruitment Rules dated 06.06.2018 were amended in 2017 and the said Rules the Rule 3 of Recruitment Rules of 2017 was further amended by notification dated 11.06.2019 by which a proviso was added in respect of Group-III Civil Servants. The learned C.P.O. further submits that pursuant to this amendment and proviso of 2019 more than 50% of the applicants out of 22 applicants are promoted and remaining will be promoted in due course.</p> <p>4. Today neither learned Advocate Ms. Gavhane nor learned Advocate Shri Dere is present. None of the applicants is present.</p> <p>5. The learned C.P.O. seeks time to file affidavit-in-reply.</p> <p>6. Time granted for the same. The learned Counsel for the Applicant to take note that the matter will be decided thereafter on the next date, so learned Counsel to remain present.</p> <p>7. Adjourned to 09.02.2021.</p>
	<p>Sd/- (P.N. Dixit) Vice-Chairman</p> <p>Sd/- (Mridula Bhatkar J.) Chairperson</p> <p>prk</p>

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

Tribunal's orders

O.A. No.788 of 2020

Varsharani V. Mote ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The applicant is aggrieved by the impugned order dated 4.12.2020 by which the applicant has been reverted for a period of two years. The applicant has submitted her appeal against the same on 17.12.2020. She has prayed that implementation of the impugned order be stayed and respondent no.2 be directed to decide her appeal expeditiously.

3. Ld. PO submits that the applicant was directed on 14.1.2021 to submit fresh appeal along with impugned order. The Ld. Advocate for the applicant submits that the impugned order is already enclosed and she has accordingly replied on 18.1.2021. Copies of letters dated 14.1.2021 and 18.1.2021 are taken on record and marked Exhibit X-1 and X-2 respectively for identification.

4. Ld. PO submits that respondents may be given minimum period of eight weeks for deciding the appeal. However, we find no reason why the appeal could not be decided within a period of six weeks.

5. In view of the above, we direct respondent no.2 to decide the appeal of the applicant within a period of six weeks and communicate the decision to the applicant. With these directions OA is disposed off.

Sd/-

(P.N. Dixit)
Vice-Chairman
19.1.2021

(sgj)

Sd/- 11 2
(Mridula R. Bhatkar, J.)
Chairperson
19.1.2021

**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: 19.01.2021</p> <p align="center">C.A. No.47 of 2020 in O.A. No.384 of 2019</p> <p>A.K. BangarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This Application is moved by the Applicant as order dated 08.11.2019 in O.A. No.344/2019 is not complied with by the Respondents. Hence this contempt Application.</p> <p>3. Learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2, Shri Rajendra R. Pol, Assistant Manager in the office of the Manager, Government Central Press, Charni Road, Mumbai dated 14.01.2021. It is taken on record. Alongwith the Affidavit the order dated 07.01.2021 about implementation of the order of the Tribunal is annexed.</p> <p>4. The Respondents No.2 in para 5 has tendered an unconditional apology for delay in deciding the matter.</p> <p>5. In view of this nothing remains in the C.A. Hence C.A. is disposed of.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.01.2021</p> <p align="center">C.A. No.48 of 2020 in O.A. No.1003 of 2017</p> <p>R.S. HimgmireApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri J.N. Kamble, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. In this Contempt Application the Applicant is seeking the implementation of the order dated 02.01.2020 passed in O.A. No.1003/17.</p> <p>3. The Applicant has not given personal notice to the Contemnor i.e Respondent, Collector, Solapur, which is necessary in initiating case against the Respondent under the Contempt of Court Act.</p> <p>4. Allowed to withdraw the Contempt Application with liberty to file fresh proceeding after giving notice to the Respondent No.2 and if order is not complied with.</p> <p align="center"> Sd/- (P.N. Dixit) Vice-Chairman </p> <p align="center"> Sd/- (Mridula R. Bhatkar, J.) Chairperson </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 19.01.2021

M.A. No.193 of 2020 in O.A. No.690 of 2018

**P.S. Vetal & 211 OrsApplicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Heard Shri Kranti L.C., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. In this matter we have raised a query that if at all, the scheme is introduced by Government of India and even if it is implemented, whether the said rules and guidelines which are laid down by the Central Government can be challenged before this Tribunal ?
3. Learned C.P.O. has filed Affidavit-in-Reply on behalf of the Respondent No.1to4. It is taken on record.
4. S.O. to 29.01.2021.

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

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.01.2021</p> <p align="center">M.A. No.29 of 2021 in O.A. No.16 of 2021</p> <p>A.D. SuryavanshiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri V.P. Sangvikar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant has requested that this matter be fixed alongwith O.A. No.16/2021.</p> <p>3. S.O. to 09.02.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

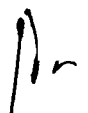
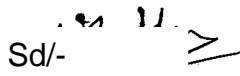
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.01.2021</p> <p align="center">C.A. No.02 of 2021 in O.A. No.955 of 2019</p> <p>Dr. S.S. RajderkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav Sharma, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Shri M.R. Govilkar, learned Advocate for the Respondent No.4.</p> <p>2. Learned Advocate for the Applicant submits that he has given notice to the contemnor on 18.12.2020. The Applicant prays that Respondents have not implemented the order dated 02.11.2020 passed by this Tribunal in O.A. No.955/19 and for committing willful and deliberate breach of order they should be punished under the Contempt of Court Act.</p> <p>3. Learned C.P.O. informs that the proposal regarding grating of Additional Charge of Acting Dean is moved by the Director of Medical Education on 07.12.2020. The said file is pending before the Hon'ble Minister of Medical Education and thereafter the file will be processed for the approval of Hon'ble Chief Minister.</p> <p>4. Learned C.P.O. seeks minimum time of fifteen days for the implementation of the order.</p> <p>5. S.O. to 04.02.2021.</p> <p align="center">Sd/-  Sd/- </p> <p align="center">(P.N. Dixit) (Mridula R. Bhatkar, J.) Vice-Chairman Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.01.2021</p> <p>M.A. No.08 of 2021 in O.A. No.21 of 2021</p> <p>S.S. Mali & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Abhijit Desai with Shri Kuldip Pawar & Shri Amol Jagtap, learned Advocates instructed by Shri A.S. Pawar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. By this M.A., the Applicants are seeking leave to sue jointly. The Applicants are similarly situated and for the reasons stated in the M.A., leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court fees, if not already paid. MA disposed off accordingly.</p> <p style="text-align: center;">Sd/- (P.N. Dixit) Vice-Chairman</p> <p style="text-align: center;">Sd/- (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

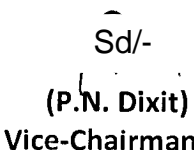
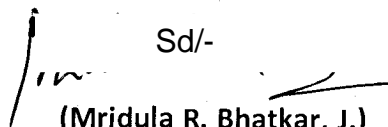
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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: 19.01.2021</p> <p align="center">O.A. No.21 of 2021</p> <p>S.S. Mali & Ors.Applicants Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Abhijit Desai with Shri Kuldip Pawar & Shri Amol Jagtap, learned Advocates instructed by Shri A.S. Pawar, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Advocate for the Applicants are directed to serve the notice to Private Persons i.e. Respondents No.7to19.</p> <p>3. The Applicants are challenging the procedure of selection of candidates to the post of P.S.I..</p> <p>4. S.O. to 02.03.2021.</p> <p align="center">  Sd/- (P.N. Dixit) Vice-Chairman </p> <p align="center">  Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p align="center">NMN</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
	<u>M.A. No.355 of 2020 in O.A. No.794 of 2020</u>
	N.N. Chavan & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents
	<p>Heard Shri Abhijeet Desai with Shri Kuldeep Pawar and Shri Amol B. Jagtap, learned Advocates i/b Shri A.S. Pawar, 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 submits that there is a delay of 371 of days in filing the above OA. Ld. Advocate for the applicant submits that cause of action arose on 18.12.2018 and therefore limitation has to be counted from that date. He submits that thereafter the period limitation should run and therefore he has counted as 371 days.</p> <p>3. He further points out the order dated 23.3.2020 passed by the Hon'ble Supreme Court in Suo Motu Writ Petition (Civil) No.3 of 2020 wherein the Hon'ble Supreme Court has directed that the period of limitation in such proceedings to be condoned due to COVID-19 Pandemic from 15.3.2020 till further orders.</p> <p>4. We have pointed out that in the prayer clause of OA the relief is prayed pursuant to the advertisement No.52 of 2016 dated 3.11.2016. Ld. CPO to file reply.</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 23.2.2021.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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7. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of M.A. Private service is allowed in view of this present COVID-19 Pandemic situation. 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. 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.

Sd/-

(P.N. Dixit)
Vice-Chairman
19.1.2021

(sgj)

Sd/-

(Mridula R. Bhatkar, J.)
Chairperson
19.1.2021

**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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O.A. No.749 of 2020


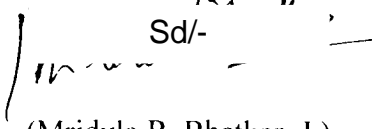
Jitendra T. Gaikwad ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. The applicant an Ex-serviceman has applied for the post of Clerk-Typist in response to the advertisement dated 22.3.2018 issued by the MPSC. The applicant was successful in the preliminary examination and allowed to participate in the written examination. The results of which were declared on 2.5.2019. However, the applicant was not recommended. He did not even figure in the waiting list. A number of candidates who were in the waiting list did not join. He made representation on 10.11.2020 to the respondent-GAD and MPSC to modify the waiting list. The GAD however, informed him on 24.11.2020 that the waiting list is lapsed and therefore the applicant is not eligible for consideration.

3. The applicant has therefore prayed to quash and set aside the impugned letter/order dated 24.11.2020 passed by the respondent-GAD.

4. Ld. Advocate for the applicant seeks leave to add MPSC as party respondent. Allowed. Amendment be carried out within two days and amended copy of OA be served on all concerned.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Ld. CPO states that copy of OA is not served. Ld. Advocate for the applicant is directed to serve the office CPO immediately.</p> <p>6. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>7. Issue notice before admission returnable on 23.2.2021.</p> <p>8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>10. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.</p> <p style="text-align: center;">  Sd/- (P.N. Dixit) Vice-Chairman 19.1.2021 </p> <p style="text-align: center;">  Sd/- (Mridula R. Bhatkar, J.) Chairperson 19.1.2021 </p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p align="center">O.A.No.38 of 2021</p> <p>Dr. V.V. Patil & Ors. ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri Omkar Kulkarni, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicants, Medical Officers to be promoted to the post of District Health Officers, challenge the selection by Departmental Promotion Committee (DPC) which was conducted on 28.12.2020 for 31 posts.</p> <p>3. The learned Counsel submits that 61 candidates were in the zone of consideration. The Applicant no.1 stands at serial no.58 and applicant no.2 stands at 1083. Thus applicant no.2 was not in the zone of consideration. However Applicant No.1 has suffered injustice as guidelines and order mention in the Government Resolution (GR) dated 01.08.2019 are not followed by the Respondents.</p> <p>4. The learned Counsel further submits that the candidates who are going to be selected do not possess the requisite educational qualification of post graduation degree in Preventive and Social Medicine or post Graduate Diploma in Public Health, after MBBS or any other equivalent accepted qualification by Medical Council of India.</p> <p>5. The learned Counsel submits that the seniority list was prepared in September, 2018 and first objection was raised on June 2018 and thereafter in 2020 the applicant raised the objection. Till today it is not considered by the Director of Health Department. He further submits that 37</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>persons who are junior to him are shown as senior to the Applicant.</p> <p>6. The learned C.P.O. seeks time to file affidavit-in-reply and opposes grant of any inter relief. She submits that as the matter of reservation policy is still pending in before the Hon'ble Supreme Court and in view of this it is very difficult for the State to fill up the staffing pattern and fill up various vacant posts.</p> <p>7. After giving considerable time to the learned Counsel for the applicant, we are of the opinion that the affidavit-in-reply of the State is required to consider the reliefs claimed by the applicant. Moreover, the other candidates who are shown seniority to him as per the seniority list dated 15.09.2018 are not made party to this proceeding.</p> <p>8. The learned C.P.O. requests for four weeks time for filing affidavit-in-reply</p> <p>9. Adjourned to 25.02.2021.</p>
prk	<p>Sd/- 01/02/2021 (P.N. Dixit) Vice-Chairman</p> <p>Sd/- 10/02/2021 (Mridula Bhatkar J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p>O.A.No.739 of 2020</p> <p>S. S. ShelkeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Today, learned P.O. has filed reply on behalf of the Respondents. It is taken on record.</p> <p>3. On request of learned Counsel for the Applicant, two weeks time is granted for filing Rejoinder, if any.</p> <p>4. S.O. to 28.01.2021.</p> <p style="text-align: right;">^ Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p>O.A.No.724 of 2020</p> <p>M. B. KadamApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents.</p> <p>2. On previous date, on request of learned P.O. one week's time was granted for filing reply but the same is not filed. Today, again learned P.O. sought two weeks time.</p> <p>3. One week's time is lastly granted for filing reply on behalf of the Respondent No.1 and no further time will be granted.</p> <p>4. S.O. to 28.01.2021.</p> <p style="text-align: right;">^ Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p>O.A.No.639 of 2020</p> <p>S. H. PawarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. for the Respondents, two weeks time is granted for filing reply.</p> <p>3. S.O. to 02.02.2021.</p> <p style="text-align: right;">N Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member(J)</p>

vsm

**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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Date : 19.01.2021

O.A.No.554 of 2020

S. S. Kamble

....Applicant

Versus

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

1. Heard Shri Pawar holding for Shri S. D. Sarode, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. On request of learned P.O. for the Respondents, one week's time is granted for filing reply.

3. S.O. to 01.02.2021.

^
Sd/-

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

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

IN

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p>O.A.No.459 of 2020</p> <p>Dr. P. K. KodolikorApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none">1. Heard Shri M. B. Kadam holding for Shri S.S. Dere, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.2. Learned Counsel for the Applicant seeks two weeks time to file Rejoinder which in fact ought to have been filed today.3. In view of above, the matter be kept for hearing at the stage of admission.4. S.O. to 09.02.2021. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 19.01.2021</p> <p>O.A.No.297 of 2020</p> <p>M. N. ChaudharyApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri Pawar holding for Shri D. B. Khaire, learned Counsel for the Applicant, Shri A. J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri A. V. Bandiwadekar, learned Counsel for the Respondent No.4.</p> <p>2. Today, learned Counsel for the Applicant has filed Rejoinder to the reply of Respondent No.4 as well as Rejoinder to the reply of Respondent No.1 to 3. It is taken on record.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 08.02.2021.</p> <p style="text-align: right;">^ Sd/- v~ (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.01.2021

O.A.No.930 of 2019

Dr. S. R. Gurav

....Applicant

Versus

The State of Maharashtra & Ors.

...Respondents.

1. Heard Shri C.T. Chandratre, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.
2. Learned Counsel for the Applicant submits that after passing of impugned order, his posting order has been modified and he got posting as per his choice. He, therefore, seeks permission to withdraw Original Application.
3. Thus, grievance of the Applicant has become infructuous in view of subsequent posting order.
4. In view of above, allowed to withdraw O.A.
5. Interim relief granted by this Tribunal on 20.09.2019 stands vacated.
6. O.A. is disposed of with no order as to costs.

Sd/-

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

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.01.2021

O.A.No.747 of 2020

G. S. WaghmodeApplicant

Versus

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

1. Heard Shri M. D. Lonkar, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent No.1.

2. Today, learned P.O. has filed reply on behalf of the Respondent No.1. It is taken on record.

3. Respondent No.2 is served with the notice but absent. Shri D. B. Khaire, learned Counsel submits that on 10.12.2020, he appeared in this matter on behalf of the Respondent No.2 and had sent Vakalatnama to client but he has not responded. He, therefore, submits that he is not appearing on behalf of the Respondent No.2 and his appearance should be deleted.

4. On request of learned Counsel for Applicant, two weeks time is granted for filing Rejoinder, if any.

5. S.O. to 02.02.2021.

^
Sd/-

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

vsm