

**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 : 19.03.2021</p> <p align="center">O.A.No.768 of 2020</p> <p>D. T. Katke <span style="float:right">...Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float:right">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri Talekar, learned Counsel for the Applicant and Smt. Kranti Gaiwad, learned Presenting Officer for the Respondents.</li> <li>2. Today, learned Counsel for the Applicant has filed Rejoinder along with annexures. It is taken on record.</li> <li>3. The matter is adjourned for hearing with M.A.No.55/2021.</li> <li>4. Learned P.O. is directed to file reply to M.A. on next date without fail since for long time, the matter is struck for hearing for want of reply to M.A.</li> <li>5. S.O. to 30.03.2021.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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	<p><b>Date : 19.03.2021</b></p> <p style="text-align: center;"><b>O.A.No.1087/2019 with O.A.No.1088/2019 with O.A.No.1112/2019 with O.A.No.36 of 2020 with O.A. No.149 of 2020</b></p> <p><b>N. A. Khanolkar &amp; Ors. ....Applicants</b></p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors. ...Respondents.</b></p> <p>1. Heard Shri Shri U. V. Bhosale, learned Counsel for Applicant in O.A.No.1087/2019 and Shri Gaurav Bandiwadekar, learned Counsel for the Applicants in other connected Original Applications. Shri A. J. Chougule and Smt. Kranti Gaikwad, learned Presenting Officers for the Respondents.</p> <p>2. Today, learned Counsel for the Applicants have filed Affidavit-in-Rejoinder in each Original Applications separately. It is taken on record.</p> <p>3. Interim relief in O.A.Nos.1087/2019, 1088/2019, 36/2020 and 149/2020 shall continue till next date.</p> <p>4. Since there is no interim relief in O.A.No.1112/2019, the question of continuation of the same does not survive.</p> <p>5. S.O. to 20.04.2021.</p> <p style="text-align: right; margin-right: 100px;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 19.03.2021</p> <p align="center">O.A.No.154 of 2019</p> <p>S. N. Pingale <span style="float: right;">....Applicant</span></p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. <span style="float: right;">...Respondents.</span></p> <ol style="list-style-type: none"> <li>1. Heard Shri B. S. Shinde, learned Counsel for the Applicant and Ms N. G. Gohad, learned Presenting Officer for the Respondents.</li> <li>2. Today, the matter is taken on board by way of circulation for hearing.</li> <li>3. Respondent No.2 is served but absent.</li> <li>4. S.O. to 06.04.2021 for final hearing.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 19.03.2021</p> <p align="center">O.A.No.1166 of 2019</p> <p>A. R. Patil .....Applicant</p> <p>Versus</p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Heard Ms Savita Suryawanshi, learned Counsel for the Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed short affidavit on behalf of the Respondent No.1 in compliance of the order passed by the Tribunal on 05.02.2021. It is taken on record.</p> <p>3. S.O. to 06.04.2021 for hearing.</p> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 19.03.2021</p> <p align="center"><b>O.A.No.123 of 2021 (Through Video Conferencing)</b></p> <p><b>G. P. Swami</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard Shri Mahesh Swami, learned Counsel for the Applicant and Shri M. S. Mahajan, learned Chief Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged the transfer order dated 22.02.2021 whereby he was transferred from the post of Executive Engineer, National Highway Division, Latur to Executive Engineer Zilla Parishad (Public Work Dept.) Hingoli.</p> <p>3. Perusal of record reveals that at the time of considering interim relief, the Tribunal by order dated 25.02.2021, directed the Applicant to join at transferred place under protest. In other words, the Tribunal declined to grant interim relief.</p> <p>4. The Respondents have not yet filed reply.</p> <p>5. Learned C.P.O. requested for grant of time to file reply.</p> <p>6. In view of above, now the question of granting interim relief does not survive.</p> <p>7. Adjourned to file reply.</p> <p>8. S.O. to 08.04.2021.</p> <p align="right">Sd/- v (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p>Date : 19.03.2021</p> <p align="center"><b>O.A.No.286 of 2020 (Through Video Conferencing)</b></p> <p><b>S. S. Walkunde</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri K. G. Salunkhe, learned Counsel for the Applicant and Shri M. S. Mahajan, learned Presenting Officer for the Respondents and Shri A. S. Deshmukh, learned Counsel for Respondent No.3.</li> <li>2. In last hearing which took place on 12.03.2021 directions were given to C.P.O. to produce the Minutes of Civil Services Board as well as file noting so as to decide the O.A. on merit. However, the same is not forthcoming.</li> <li>3. Learned C.P.O. undertakes to furnish the record on or before 25.03.2021.</li> <li>4. In view of above, the matter is adjourned to 25.03.2021 at 2.30. pm for hearing of O.A. through video conferencing.</li> <li>5. Interim relief to continue till next date.</li> </ol> <p align="right">Sd/- VVV <b>(A.P. Kurhekar)</b> Member(J)</p> <p>vsm</p>

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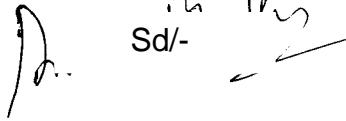
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	<p><b>Date: 19.03.2021</b></p> <p align="center"><b>C.A. No.34 of 2020 in O.A. No.404 of 2018</b></p> <p><b>V.P. Pawar</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Shri M.L. Dhone and V.P. Sangikar, both the learned Advocates for the Applicant are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. C.P.O. will file Reply during the course of the Day. Statement is accepted.</p> <p>3. S.O. to 09.04.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="center">Sd/-  (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>


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	<p>Date: 19.03.2021</p> <p align="center"><b>O. A. No.165 of 2017</b></p> <p>S.B. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri M.D. Lonkar, learned Advocate for the Respondent No.3.</li> <li>2. Smt. Punam Mahajan, learned Advocate for the Applicant is absent. Leave note is on record.</li> <li>3. Respondents to take note and Reply to be filed on the next date, as the matter is pending from 2017.</li> <li>4. S.O. to 25.03.2021.</li> </ol> <p align="center"> Sd/-  (P.N. Dixit)  Vice-Chairman </p> <p align="center">  Sd/-  (Mridula R. Bhatkar, J.)  Chairperson </p> <p>NMN</p>



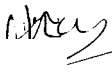
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	<p><b>Date: 19.03.2021</b></p> <p align="center"><b>O. A. No.1197 of 2019 with M.A. No.17 of 2020</b></p> <p><b>C.R. Sawant</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Shri S.S. Dere, learned Advocate for the Applicant is absent. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Reply is to be filed in M.A., though Affidavit-in-Reply is filed in O.A.</p> <p>3. S.O. to 31.03.2021.</p> <p align="center">Sd/- (P.N. Dixit) Vice-Chairman</p> <p align="right">Sd/-  (Mridula R. Bhatkar, J.) Chairperson</p> <p>NMN</p>

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	<p align="center"><b>Date: 19.03.2021</b></p> <p align="center"><b>O. A. No.97 of 2021</b></p> <p><b>P.C. Kumbhar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant Shri B.A. Bandiwadekar submits that whatever decision taken by D.G. office is to be communicated to the Applicant.</p> <p>3. S.O. to 16.04.2021.</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>

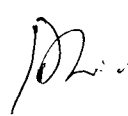
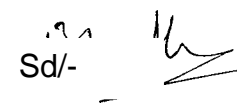
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	<p><b>Date: 19.03.2021</b></p> <p align="center"><b>O. A. No.571 of 2020</b></p> <p><b>P.R. Kanjalkar &amp; Ors. ....Applicant</b> <b>Versus</b> <b>The State of Maharashtra &amp; Ors. ....Respondents.</b></p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Written instructions of the Applicants are submitted by Shri K.R. Jagdale, learned Advocate for the Applicants. Applications of all three Applicants are taken on record and marked as exhibit '1-A, B, C'.</p> <p>3. Allowed to withdraw.</p> <p align="center">   Sd/-  <b>(P.N. Dixit)</b>  <b>Vice-Chairman</b> </p> <p align="center">   Sd/-  <b>(Mridula R. Bhatkar, J.)</b>  <b>Chairperson</b> </p> <p>NMN</p>

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	<p><b>Date: 19.03.2021</b></p> <p align="center"><b>O. A. No.138 of 2021</b></p> <p><b>S.G. Koli</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for the Applicant Shri B.A. Bandiwadekar pointed out that the facts in the case of O.A.682, 683, 684, 685, 661, 703/2020, which was decided by order dated 26.11.2020 are the same and hence similar relief to be granted.</p> <p>3. Interim Relief in respect of supernumerary post can be granted.</p> <p>4. Learned P.O. concedes that the facts in the present case and all those matter mentioned above are identical and she has no objection if similar interim order is passed.</p> <p>5. In view of the submissions, interim relief is granted, and we stay impugned order passed by the Respondent No.1, till filing of the Reply.</p> <p>6. S.O. to 16.04.2021.</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> <p align="right">[P.T.O.]</p>

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	<p><b>Date: 19.03.2021</b></p> <p align="center"><b>O. A. No.511 of 2015</b></p> <p><b>Dr. M.M. Thombare</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri Roshan Maloni &amp; Shri Shivani Chandolkar, learned Advocate holding for Shri V.B. Joshi, learned Advocate for the Applicant, Shri S.K. Nair, learned Special Counsel with Shri A.J. Chougule, learned Presenting Officer for the Respondent Nos.1 to 3 and Shri M.D. Lonkar, learned Advocate for the Respondent No.4.</p> <p>2. Matter Adjourned for Final Hearing on 22.04.2021.</p> <p align="center"> Sd/- (P.N. Dixit) Vice-Chairman </p> <p align="center"> Sd/- (Mridula R. Bhatkar, J.) Chairperson </p> <p>NMN</p>

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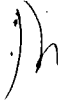
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	<p><b>Date: 19.03.2021</b></p> <p align="center"><b>O. A. No.216 of 2021 (D.B.)</b></p> <p><b>G.B. Jagdale</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</li> <li>2. Smt. Punam Mahajan, learned Advocate for the Applicant is absent. Leave note is on record.</li> <li>3. Learned Advocate for the Applicant has tendered a leave note, that she unable to travel from Pune to Mumbai due to rise in COVID-19 Pandemic cases. Leave note is from 19.03.2021 to 26.03.2021.</li> <li>4. However, this is urgent matter taken up by way of circulation, wherein the Applicant is working as P.S.I. at Shirur Police Station, Pune (Rural) challenging the order dated 20.04.2019 by which he is denied the seniority in Batch No.108 and instead is given seniority in Batch No.111 where he had completed his training.</li> <li>5. Issue notice before admission returnable on 16.04.2021.</li> <li>6. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.</li> <li>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 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.</li> </ol>

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	<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. 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.</p> <p>10. S.O. to 16.04.2021.</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>





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	<p>fixing of his pension from the Accountant General Office.</p> <p>5. We therefore, keep this matter on 05.05.2021 to the check the Respondent progress.</p> <p>6. S.O. to 05.05.2021.</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>

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	<p><b><u>19.03.2021</u></b></p> <p><b><u>M.A 243/2020 in O.A 560/2020</u></b></p> <p>Shri M.D Rathod ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Nitesh Mohite, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. Misc application to sue jointly is allowed, subject to payment of court fees, if not already paid</p> <p style="text-align: right;">Sd/- <b>(A.P Kurhekar)</b> <b>Member (J)</b></p> <p>Akn</p>

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	<p style="text-align: center;"><b><u>19.03.2021</u></b></p> <p style="text-align: center;"><b><u>O.A 560/2020</u></b></p> <p>Shri M.D Rathod ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Nitesh Mohite, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.</p> <p>2. Issue notice returnable on 16.4.2021.</p> <p>3. 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.</p> <p>4. 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>5. 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.</p> <p>6. S.O to 16.4.2021.</p> <p style="text-align: right; margin-right: 50px;">           Sd/-            (A.P Kurhekar)            Member (J)         </p> <p style="margin-top: 20px;">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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	<p><u>19.03.2021</u></p> <p><u>O.A 663/2019</u></p> <p>S.S Panindre ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Today mater is taken on board for speaking to the minute to correct the typographical error in the respect of dates in clause (c) of the operative order dated 22.1.2021. The Tribunal granted 50% pay and allowances for the period of deemed date of promotion from 4.8.2012 to 19.12.2014, which should be 3.8.2015 to 31.12.2016.</p> <p>3. Learned counsel for the applicant also fairly concedes that the date needs to be corrected.</p> <p>4. In view of above, in operative order, clause (c) in place of 4.8.2012 to 19.12.2014, it should be corrected as 3.8.2015 to 31.12.2016.</p> <p>5. Accordingly correction be carried out in original order.</p> <p style="text-align: right;">Sd/- W* <b>(A.P Kurhekar)</b> <b>Member (J)</b></p> <p>Akn</p>

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**M.A 324/2020 in O.A 742/2020**

S.K Darekar & Ors ... Applicants  
Vs.

The State of Maharashtra & Ors ... Respondents

1. Smt Punam Mahajan, learned advocate for the applicant has filed leave note. Heard Smt Kranti S. Gaikwad, learned P.O for the Respondents.

2. Learned P.O seeks time to file reply.

3. S.O to 9.4.2021.

^  
Sd/-

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

Akn

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	<p><b><u>19.03.2021</u></b></p> <p><b><u>M.A 58/2021 in 59/2021 in O.A 05/2020</u></b></p> <p>State of Maharashtra &amp; Ors ... Applicants (Ori Respondents)</p> <p style="text-align: center;">Vs.</p> <p>D.R Wadkute ... Respondent (Ori Applicant)</p> <p>1. Heard Ms Archana B.K, learned P.O for the Applicants (Original Respondents). None for the original Respondent (Original Applicant).</p> <p>2. On request of learned P.O, three days' time is granted in filing affidavit of Principal Secretary, Social Justice and Special Assistance Department, Mumbai.</p> <p>3. S.O to 24.3.2021.</p> <p style="text-align: right;">^ Sd/- √√√ <b>(A.P Kurhekar)</b> <b>Member (J)</b></p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><u>12.03.2021</u></p> <p><u>M.A 107/2021 in O.A 263/2019</u></p> <p>D.B Kodag ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Makrand Kale holding for Shri S.A Kashid, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. This M.A is filed for restoration of O.A. 263/2019 which was dismissed in default on 12.2.2021.</p> <p>3. Learned counsel for the applicant submits that due to Covid-19 Pandemic situation he could not remain present and requested to allow the Misc Application and restore the Original Application. The explanation of the learned counsel for the applicant is accepted.</p> <p>4. In view of the above Misc Application is allowed and O.A is restored to the file.</p> <p style="text-align: right;">Sd/- <b>(A.P Kurhekar)</b> Member (J)</p> <p>Akn</p>



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	<p><u>19.03.2021</u></p> <p><u>O.A 263/2019</u></p> <p>D.B Kodag ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Makrand Kale holding for Shri S.A Kashid, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Today O.A is restored in view of order passed in M.A 107/2021.</p> <p>3. Place for final hearing on 16.4.2021.</p> <p style="text-align: right;">Sd/- W/- <b>(A.P Kurhekar)</b> <b>Member (J)</b></p> <p>Akn</p>

Office Notes, Office Memoranda of Coram,  
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19.03.2021

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O.A 378/2020

S.N Raktate ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri Shantanu Raktate, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. As this Tribunal expressed in order dated 12.3.2021, negligence and laxity on the part of the Respondents is obvious since the applicant's retirement benefits are withheld for more than 7 years because of pendency of departmental enquiry initiated in the year 2011.

3. The Tribunal has directed Respondent no. 2 to file affidavit in reply and to explain why it is not completed in the stipulated period and what action Respondent no. 2 proposed to take against the concerned officials for non completion of the D.E for the period of 9 to 10 years.

4. Today, learned C.P.O submits that Government has taken decision to drop the D.E against the applicant and requested for two weeks time to place on record order of the Government as well as to file reply.

5. Learned counsel for the applicant submits that in fact, initiation of D.E itself was without any sufficient grounds and despite bringing it to the notice of the Respondents no action was taken and he is unnecessarily harassed for a long time

6. It is really surprising and disgusting to know that D.E is not completed for more than nine years and after nine years only Government is coming with a decision of closure of D.E. If there was no such case for initiation of D.E, then such decision ought to have been taken at the earliest, but D.E is kept pending for 9 to 10 years, which is nothing short of mal administration.

7. In view of the above, two weeks time is granted for filing reply, but it should be filed along with affidavit of Addl. Chief Secretary, Revenue and Forest Department, Mantralaya, Mumbai, explaining as to why D.E was kept pending for a such long time and why such decision of closure of D.E was not taken earliest so that retirement benefits of the applicant could have been released.

8. Learned C.P.O has raised grievance of non service of O.A on the Respondents. whereas learned counsel for the applicant submitted that copy of O.A was served upon the Respondents by sending it through post, due to Covid 19 Pandemic situation. Learned counsel for the applicant is directed to produce the postal acknowledgment and also to file affidavit of service.

9. In the meantime, applicant is again directed to serve copy of the O.A on the Respondents afresh.

10. S.O to 1.4.2021.

Sd/-

(A.P Kurhekar)  
Member (J)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><b><u>19.03.2021</u></b></p> <p><b><u>O.A 604/2020</u></b></p> <p>A.C Kale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Today matter was fixed for filing rejoinder. But no rejoinder is filed.</p> <p>3. Adjourned for hearing at the stage of admission on 16.4.2021.</p> <p style="text-align: right;">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

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	<p><u>12.03.2021</u></p> <p style="text-align: center;"><u>O.A 752/2020</u></p> <p>S.A Patil ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri Deven Jogdeo, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. On request of learned P.O, two weeks time is granted to file reply.</p> <p>3. S.O to 6.4.2021.</p> <p style="text-align: right;">Sd/- (A.P Kurhekar) Member (J)</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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10.03.2021

O.A 46/2021

N.A Tittal-Chavan ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri R.M Kolge, learned advocate for the applicant and Ms Neelima Gohad, learned P.O for the Respondents.

2. Learned P.O files affidavit in reply on behalf of Respondents no 2 and 3 separately. Same is taken on record. No reply is filed on behalf of Respondent no. 1.

3. Learned counsel for the applicant seeks three weeks time for filing rejoinder.

4. S.O to 9.4.2021.

Sd/-

<sup>w</sup>  
**(A.P Kurhekar)**  
**Member (J)**

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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	<p><b>Date : 19.03.2021</b></p> <p align="center"><b>C.A.No.39 of 2020 in O.A.No.50 of 2020</b></p> <p>B.G. Kshirsagar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned Counsel for the Applicant is not present. However, learned P.O. produces a letter of Mr. Govind Pawar dated 17.03.2021 thereby informing that as per the decision of the Tribunal the representations of the applicant dated 23.08.2018 and 16.11.2018 are considered on the basis of G.R. dated 16.09.1964 and 07.06.1965. However the applicant is not eligible and there is no provision of giving deemed date from the date of the passing of the examination of Junior Engineer, Professional Examination and hence his representations cannot be considered. Taken on record and marked as Exhibit-1.</p> <p>3. As the learned Advocate for the Applicant is not present, adjourned to 26.03.2021.</p> <p align="center">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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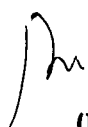

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	<p><b>Date : 19.03.2021</b></p> <p align="center"><b>O.A.No.125 of 2021</b></p> <p>V.I. Ingale ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri R.G. Panchal, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. In this O.A. earlier notice was issued on 18.02.2021. The paragraph no.2 for the same reads as under :-</p> <p align="center"><i>"2. The applicant a Senior Pharmacy Officer challenges the disciplinary proceedings initiated vide charge sheet dated 31.8.2020 and seek directions in respect of pecuniary compensation. He submits that the challenge is given mainly on the point that the authority who has issued the charge sheet is not competent authority. No interim relief is granted at this stage and it is kept open on the next date."</i></p> <p>3. The respondents are directed to file short affidavit regarding the authority who is competent for initiating Departmental Enquiry against the applicant.</p> <p>4. Two weeks time is granted. Adjourned to 08.04.2021.</p> <p align="center">Sd/-  Sd/- </p> <p align="center"><b>(P.N. Dixit)</b> <b>Vice-Chairman (A)</b></p> <p align="center"><b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>

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**Date : 19.03.2021**

**M.A.No.88 of 2021 in M.A.No.696 of 2020 in  
O.A.No.1065 of 2019**

J.D. Shirdkar ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri N.Y. Chavan , learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. M.A.No.88/2021 is moved for restoration of the M.A.No.696/2020 (for condonation of delay for filing O.A.) and O.A.No.1065/2019. The learned Counsel submits that in the M.A.No.696/2020 notice was issued on 16.01.2020 and it was made returnable on 12.03.2020. However as per the procedure and the proforma of the earlier orders this affidavit of service was to be filed within three days before the returnable date. The applicant could not file the said service report during the stipulated date. However he filed the service report on 22.02.2021.

3. The learned P.O. submits to the orders of the Tribunal. Hence M.A.No.88/2021 filed for restoration is allowed.

4. In view of this, M.A.No.696/2020 (delay) and O.A.No.1065/2019 are restored.

5. M.A.No.696/2020 is for the condonation of delay of O.A.No.1065/2019.

6. The learned C.P.O. seeks time to file affidavit-in-reply in M.A.No.696/2020.

7. Time granted. Adjourned to 01.04.2021.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)  
Chairperson



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**Date : 19.03.2021**

**O.A.No.82 of 2017**

D.R. Khairnar ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Smt. Archana B.K., learned Presenting Officer for the Respondents and Shri K.R. Jagdale, learned Advocate for the Respondent No.3 to 14. None for the Applicant.

2. Adjourned to 09.04.2021 under the caption of 'For Dismissal'.

Sd/-

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

prk

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

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	<p><b>Date: 19.03.2021</b></p> <p align="center"><b>O. A. No.781 of 2020</b></p> <p><b>J.D. Koli</b> .....Applicant <b>Versus</b> <b>The State of Maharashtra &amp; Ors.</b> .....Respondents.</p> <p>1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Learned C.P.O. has filed Affidavit-in-Reply on behalf of the Respondent Nos.1, 2, 3 &amp; 4. It is taken on record.</p> <p>3. S.O. to 25.03.2021.</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  
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	<p><b>Date : 19.03.2021</b></p> <p align="center"><b>M.A.No.101/2021 in M.A.No.102/2021 in C.A.No.11/2020 in O.A.No.1112/2018</b></p> <p>A.M. Mali ... Applicant Vs. ... Respondents The State of Maharashtra &amp; Ors</p> <p>1. Heard Shri S.B. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. M.A.No.101/2021 is for restoration. The learned Counsel submits that notices were issued on 11.02.2020 inadvertently notices were not collected and returnable date was 31.03.2020.</p> <p>3. The learned Counsel submits that in C.A.No.11/2020 the notices were issued on 11.02.2020. However the applicant could not collect the notices within stipulated time and thereafter matter could be taken on board because of COVID-19 pandemic situation and the lockdown was declared on 19.03.2020. The learned Counsel submits that as per the earlier proforma of order the C.A. was dismissed for compliance of the service of the notice.</p> <p>4. The M.A.No.102/2021 is filed for condonation of delay of 384 days in filing of M.A.No.101/2021. The learned Counsel submits that the delay of 384 days in filing the M.A.No.101/2021 for restoration be condoned, so also the C.A. be restored.</p> <p>5. The learned C.P.O. submits to the orders of this Tribunal</p> <p>6. The application for condonation of delay M.A.No.101/2021 in fact is not required in view of the order dated 23.03.2020 passed by the Hon'ble Supreme Court in Sue Motu Writ Petition (Civil) No.3 of 2020 wherein the Hon'ble Supreme court has directed that the</p>

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period of limitation in such proceedings to be condoned due to COVID-19 Pandemic from 15.03.2020 till further order.

7. In view of the above, M.A.No.101/2021 for condonation of delay is allowed. Similarly, M.A.No.102/2021 for restoration is also allowed and C.A.No.11/2020 is hereby restored.

8. Issue notice to the respondents returnable 4 weeks.

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

10. Issue notice before admission returnable on 16.04.2021.

11. 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 C.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondent is put to notice that the case may be taken up for final disposal at the stage of admission hearing.

12. 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.

13. 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.

14. We direct the learned Counsel to produce the order, if any, after the hearing taken by Respondent No.2 Sub-Divisional Magistrate, before the next date.

15. S.O. to 16.04.2021.

Sd/-

(P.N`Dixit)  
Vice-Chairman (A)

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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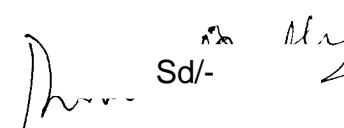
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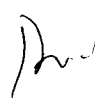

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	<p><b>Date : 19.03.2021</b></p> <p align="center"><b>C.A.No.1 of 2021 in O.A.No.481 of 2019</b></p> <p>D.N. Jadhavar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate holding for Shri A.R. Joshi, 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. files affidavit-in-reply dated 18.03.2021 on behalf of Respondent no.2, Shri Sadhana Mukund Tayade, Director, Health Services, Mumbai. Taken on record. Copy is served to learned Advocate.</p> <p>3. The learned C.P.O. informs that the higher committee constituted to decide the issue of reimbursement of liver transplant has considered it the committee was constituted and it was decided that the upper limit for reimbursement for liver transplant is Rs.15 lakh and that amount is already paid,. In the reply learned P.O. submits that the order dated 10.01.2020 of the Tribunal could not be implemented within stipulated period of 3 months due to COVID-19 pandemic situation and lockdown. Hence unconditional apology is tendered.</p> <p>4. We are of the view nothing remains in the C.A. however as per the submissions of learned Advocate Ms. Suryawanshi that learned Counsel Shri A.R. Joshi is suffering from CORONA matter may be adjourned.</p> <p>5. In view of this, matter is fixed on 19.04.2021.</p> <p align="center">Sd/-  <b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></p> <p align="right">Sd/-  <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

of 20

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Original Application No. \*

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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><b>Date : 19.03.2021</b></p> <p align="center"><b>C.A.No.3 of 2021 in O.A.No.951 of 2019</b></p> <p>B.R. Gaikwad ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate holding for Shri V.V. Joshi, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that pursuant to the order dated 09.02.2021 the respondents have started paying the provisional pension to the applicant from February, 2021 and also the arrears of pension, if any. She further submits that the Respondents have taken steps in respect of the fixation of pension pursuant to the order dated 17.02.2020. The learned P.O. submits that the compliance of furnishing documents in the office is to be done by the applicant and accordingly the respondent have written letter to the applicant on 25.02.2021. Thus the compliance on the part of the applicant is awaited.</p> <p>3. At the request of learned Advocate, Adjourned to 16.04.2021.</p> <p align="center">Sd/- <b>(P.N Dixit)</b> <b>Vice-Chairman (A)</b></p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</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><b>Date : 19.03.2021</b></p> <p align="center"><b>C.A.No.10 of 2021 in O.A.No.426 of 2019</b></p> <p>E.P. Bodhale . . . Applicant Vs. The State of Maharashtra &amp; Ors . . . Respondents</p> <p>1. Heard Shri P.B. Walimbe, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The learned Advocate for the Applicant is directed to issue Contempt notice to the Respondents by the name of the Contemnors.</p> <p>3. At the request of learned Advocate adjourned to 23.04.2021.</p> <p align="center">Sd/- <b>(P.N'Dixit)</b> <b>Vice-Chairman (A)</b></p> <p align="right">Sd/- <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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**Date : 19.03.2021**

**M.A.No.88 of 2021 in M.A.No.696 of 2020 in  
O.A.No.1065 of 2019**

J.D. Shirdkar ... Applicant  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Shri N.Y. Chavan , learned Advocate for the Applicant and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. M.A.No.88/2021 is moved for restoration of the M.A.No.696/2020 (for condonation of delay for filing O.A.) and O.A.No.1065/2019. The learned Counsel submits that in the M.A.No.696/2020 notice was issued on 16.01.2020 and it was made returnable on 12.03.2020. However as per the procedure and the proforma of the earlier orders this affidavit of service was to be filed within three days before the returnable date. The applicant could not file the said service report during the stipulated date. However he filed the service report on 22.02.2021.

3. The learned P.O. submits to the orders of the Tribunal. Hence M.A.No.88/2021 filed for restoration is allowed.

4. In view of this, M.A.No.696/2020 (delay) and O.A.No.1065/2019 are restored.

5. M.A.No.696/2020 is for the condonation of delay of O.A.No.1065/2019.

6. The learned C.P.O. seeks time to file affidavit-in-reply in M.A.No.696/2020.

7. Time granted. Adjourned to 01.04.2021.

Sd/-

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

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

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**19.03.2021**

**O.A 756/2020 with O.A 755/2020**

M.R Sawant & Ors  
A.P Sonawane & Ors ... Applicants  
Vs.  
The State of Maharashtra & Ors ... Respondents

1. Heard Dr Gunratan Sadavarte with Dr. Jayshree Patil, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. Learned advocate for the applicants submits that as the Respondents have not filed a short affidavit in reply as directed earlier, he submits that Respondents may take in to consideration G.R dated 7.12.2015, that persons who were regularized as per G.R dated 7.12.2015 in the post of Class-IV in the Government hospitals on the cut-off date they all have completed more than 10 years like the applicants. But till the cut-off date of 240 days only 6 years they have completed. However, as per requirement of 240 days per year for continuous 10 years have not been completed, but those persons who are regularized other than the applicants have completed only 6 years as per the requirement of 240 days attendance/work like private Respondents.

3. Learned C.P.O request for time.

4. S.O 1.4.2021.

Sd/-

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

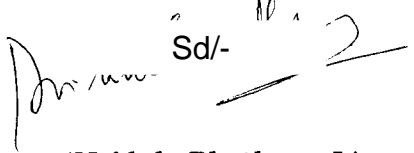
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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><b><u>19.03.2021</u></b></p> <p align="center"><b><u>M.A 61/2021 in O.A 456/2020</u></b></p> <p>Shri Y.B Deshmukh ... Applicant/Intervenor Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant-Intervenor, Dr Gunratan Sadavare with Dr Jayshree Patil, learned advocate for the Original Applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant is a necessary party as he is aggrieved due to the interim order passed by this Tribunal in favour of the two applicants. Learned C.P.O states that as per affidavit in reply of Shri Sanjay D. Thakur, Respondent no. 1, MPSC, dated 15.10.2020, the applicants name were not recommended because applicant no. 1 falls short of one month's experience to 3 years and applicant no. 2, falls short of experience of one month one day to the required 3 years' experience. Hence, M.A seeking intervention in the Original Application is allowed.</p> <p>3. Applicant-Intervener is to be added as party Respondent no. 4 in the array of the Original Application. Learned counsel for the applicants to make the necessary amendment in the Original Application.</p> <p>4. The representation dated 28.10.2020 as per the earlier order of this Tribunal dated 5.3.2020 in O.A 456/2020 is not yet decided by MPSC, and therefore, Respondent to decide the representation within two weeks without fail.</p> <p>5. It is to be noted that out of 43 posts, 14 were for open category, out of which 12 posts are filled up, one is for general open is vacant and it is as per the order of this Tribunal was directed to be kept vacant and the other post is for handicapped person. One applicant and proposed Respondent no. 4 are from open general category.</p> <p>6. O.A 456/2020 to be placed on 1.4.2021.</p> <p align="right">   <b>Sd/-</b>  <b>(Mridula Bhatkar, J.)</b>  <b>Chairperson</b> </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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	<p><b>Date : 19.03.2021</b></p> <p style="text-align: center;"><b>C.A.No.9 of 2021 in O.A.No.229 of 2019</b></p> <p>G.A. Kiture ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard M/S. Talekar &amp; Asso., learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. This is the first date of Contempt Petition, which is directed for the implementation of the order dated 10.12.2020 passed by this Tribunal in O.A.No.229/19 and O.A.1121/2019.</p> <p>3. The learned Counsel for the applicant submits that this order is challenged by the M.P.S.C. and two Writ Petitions No.163/2021 and 465/2021 are filed before the Hon'ble High Court and the said matter has appeared before the Hon'ble Division Bench on 11.01.2021. The learned Counsel submits that till today no stay is granted to the order passed by this Tribunal. The learned Counsel further expressed the apprehension that the next batch for the training of PSI will be send by the end of March, 2021 and if it is sent then prejudice will be caused to the Applicant.</p> <p>3. The learned C.P.O. submits that the Petitioners will take the circulation within fortnight and hence it is to be adjourned to give the reply in this matter. Hence, three weeks time may be granted.</p> <p>4. The learned Advocate for the Applicant submits that he wants to add the name of Mrs. Swati Mhase Patil who has taken the charge as the Secretary of M:P.S.C., as the party Respondent.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Permission granted to amend the cause title by adding the proposed Respondent no.4.</p> <p>6. Issue notice to proposed Respondent no.4.</p> <p>7. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>8. Issue notice before admission returnable on 16.04.2021.</p> <p>9. 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 C.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.</p> <p>10. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>11. 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. Applicants are directed to file Affidavit of compliance and notice.</p> <p>12 S.O. to 16.04.2021.</p>
	<p style="text-align: center;">Sd/- (P.N Dixit) Vice-Chairman (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>