

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 19.05.2022</b></p> <p><b>O.A.No.463 of 2022</b></p> <p>R.R. Chavan .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant working as PSI challenges the order dated 23.03.2022 which is regarding validity of his sports certificate as he is appointed from the sports category and further challenges the show cause notice dated 06.05.2022 as to why his appointment is not to be terminated.</p> <p>3. Learned Advocate submits that the Applicant wants to challenge the order dated 23.03.2022 before the Appellant Authority. She further submits that on 23.05.2022 limitation will get over. However in between the show cause notice dated 06.05.2022 will be issued which is not served on the applicant till today.</p> <p>4. Learned Advocate submits that the Respondents be directed not to take any action against the applicant till the decision of Appellant Authority.</p> <p>5. Learned P.O. while opposing the interim relief submits that the applicant is challenging the order of 23.03.2022 before the Appellant Authority. She needs to take proper instructions on the point of service of notice dated 06.05.2022.</p> <p>6. Considering the time frame as stated by the learned Advocate and so also the facts that the notice dated 06.05.2022 is not served on the Applicant, notice is given to the Respondent to place the correct facts before the Tribunal on or before on 23.05.2022.</p> <p>7. It is made clear that no such order that Respondent should not take any action against the applicant during the Appeal period can be passed at this stage.</p> <p>8. Adjourned to 23.05.2022.</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATION NO.460 OF 2022**

A.U. Khairavkar

....**Applicant**

**Vs.**

The State of Maharashtra & Ors.

....**Respondents.**

Ms. V.K. Jagdale, learned Advocate for the Applicant

Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

**CORAM** : **Justice Mridula Bhatkar, Chairperson**

**DATE** : **19.05.2022.**

**O R D E R**

1. The Applicant aspiring to be Police Constable (Driver) in OBC sports category challenges select list dated 29.03.2022 qua Respondent No.2.

2. Learned Advocate has shown the service report of Respondent No.2. She submits that the Respondent No.2 is served by courier as the applicant could not get the address, so the Respondent No.2 is served through the Commissioner of Police, Navi Mumbai as he is the selected candidate. Copy of service report is taken on record and marked as 'X' for identification.

3. Learned P.O. submits that the list was published on 29.03.2022, hence no need to grant any interim relief.

4. Learned Advocate submits that on 31.05.2022 is the last date to submit the report from all the heads to the D.G. office. Respondent

No.1 is bound to submit the report about its selection process on or before 31.05.2022. Therefore she prays that the Respondent No.1 be directed to verify his sports certificate which is issued by the Deputy Director Sports of Sports and Youth Services, Nagpur.

5. Learned P.O. submits that she could not get instructions in such a short period.

6. In view of the facts stated Respondent No.1, Commissioner of Police, Navi Mumbai is hereby directed to verify the sports certificate dated 09.10.2021.

7. Learned P.O. submits that there are two certificates issued on the same date i.e. on 14.12.2018. In the certificate at Exhibit-J, performance of the candidate in sports competition is shown as First and in the certificate at Exhibit-L, performance is shown as Third rank. Hence, the Deputy Director Sports of Sports and Youth Services, Nagpur Division Nagpur is a necessary party.

8. Learned Advocate submits that she be allowed to amend the O.A. by adding Deputy Director Sports of Sports and Youth Services in the array of Respondents as Respondent No.3.

9. Permission granted. Amendment be carried out forthwith.

10. Moreover, Respondent No.1 to furnish the address of Respondent No.2 to the Applicant. Applicant is directed to approach the office of Commissioner of Police, Navi Mumbai to obtain the address immediately on or before 24.05.2022. It is made clear that

Respondent No.1 may verify both the certificates by online communication to the proposed Respondent No.3.

11. Applicant to served notice to Respondent No.3 immediately.
12. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
13. Issue notice before admission returnable on 24.05.2022.
14. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
15. 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.
16. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
17. Adjourned to 24.05.2022.

Sd/-

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

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

**ORIGINAL APPLICATION NO.464 OF 2022**

Y.D. Baraskar & Ors.

**....Applicants**

**Vs.**

The State of Maharashtra & Ors.

**....Respondents.**

Mr. A.A. Gharte, learned Advocate holding for Mr. S. Raktate, learned Advocate for the Applicants.

Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

**CORAM** : **Justice Mridula Bhatkar, Chairperson**

**DATE** : **19.05.2022.**

**O R D E R**

1. Learned Advocate seeks permission to file M.A. for leave to sue jointly.
2. Permission granted. It be done prior to next date.
3. Applicants have appeared for the examination for the post of Assistant Accountant Officer in the year 2013. The result was declared in the year 2018 wherein only 4% of the total candidates had passed. Hence the applicants and other persons have approached before M.A.T. Mumbai and its Benches at Nagpur and Aurangabad thereby challenging the results. The other O.As are pending.

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4. Learned Advocate submits that the Recruitment Rules of 1965 were applicable at the time of advertisement issued in the year 2013 and the examination was conducted on 19.03.2019. The new Recruitment Rules were framed and introduced on 28.09.2018. Thereafter results were declared on 09.10.2019. As per the Recruitment Rules of 1965 the quota for promotees and the direct recruits was 20:80 respectively, whereas as per new Recruitment Rules the quota for promotees and Direct Recruits is fixed as 50:50.

5. Learned Advocate submits that if the promotions are given as per 50% quota for promotees then the grievances raised in the earlier O.As. will become infructuous.

6. Ex-facie this O.A. is founded on wrong notion. The queries before this Tribunal are :

Firstly, the Applicants are keen and relying on the prayers made in other earlier O.As. filed before the Tribunal then it is necessary for the applicants to make M.A. in the same O.As.. Hence, now this fresh O.A. is maintainable ?

Secondly, it is necessary for the applicants to explain whether 4% successful candidates consumer the entire 50% of the quota and

Thirdly, it is necessary to know whether the Respondents have given permission crossing 50% of the quota as per new Recruitment Rules.

7. Learned Advocate seeks time to answer the above three queries put by this Tribunal.

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

9. Issue notice before admission returnable on 08.06.2022.

10. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

12. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

13. Adjourned to 08.06.2022.

Sd/-

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

prk

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

**Tribunal's orders**

**Date : 19.05.2022**

**O.A.No.457 of 2022**

D.A. Deokar .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. The Applicant has challenged the order dated 07.03.2022 passed by the Respondent No.4, the Internal Committee through its Chairperson Smt. A.S. Bhuskute, GST Bhavan, Solapur Division, Solapur under the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 exonerating Respondent No.6. The Applicant prays that for the direction of re-consideration of proper and fresh Committee be issued and further seeks direction that her case for transfer, as she has completing 6 years at one place, is to be considered by the Respondents.
3. Learned P.O. submits that the Department will verify and consider his request for transfer.
4. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
5. Issue notice before admission returnable on 08.06.2022.
6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. Adjourned to 08.06.2022.

Sd/-

( Mridula Bhatkar, J.)  
Chairperson



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 19.05.2022</b></p> <p><b>O.A.No.459 of 2022</b></p> <p>S.A. Jamadar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Applicants working in the Housing Department challenges circular dated 31.05.2021. The Applicants have grievance in fixing the cut-off date as 01.01.2022 instead of 01.01.2021 which is in consonance with the circular dated 21.04.1987.</p> <p>3. Learned Advocate submits that the Applicants have appeared for Departmental Examination for the post of Assistant. Learned Advocate expresses apprehension that the M.P.S.C. is likely to declare the results of the examination in this month or till first or second week of June, 2022.</p> <p>4. Learned P.O. submits that she is unable to give the date of declaration of the result for want of proper instructions. However, she submits that there is no urgency to grant interim relief because firstly the circular is of 31.12.2021 and secondly the Applicants have participated in the examination process though they were aware that the Respondents have declared the cutoff date as on 01.01.2022.</p> <p>5. Under such circumstances at this stage interim relief is not granted accept the matter is adjourned to 14.06.2022 with following orders :-</p> <p>If the results are declared and appointments are made they will be subject to outcome of this O.A.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p><b>Tribunal's orders</b> <b>Date : 19.05.2022</b></p>
	<p><b>M.A.No.292 of 2022 in O.A.No.459 of 2022</b></p> <p>S.A. Jamadar &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p style="text-align: right;">Sd/-  (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**

**Date : 19.05.2022**

**C.A.No.22 of 2022 in O.A.No.200 of 2021**

S.R. Bagde & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 14.06.2022.

4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. Adjourned to 14.06.2022.

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><b>Date : 19.05.2022</b></p> <p><b>O.A.No.463 of 2022</b></p> <p>R.R. Chavan .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Mr. S.S. Dere, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant working as PSI challenges the order dated 23.03.2022 which is regarding validity of his sports certificate as he is appointed from the sports category and further challenges the show cause notice dated 06.05.2022 as to why his appointment is not to be terminated.</p> <p>3. Learned Advocate submits that the Applicant wants to challenge the order dated 23.03.2022 before the Appellant Authority. She further submits that on 23.05.2022 limitation will get over. However in between the show cause notice dated 06.05.2022 will be issued which is not served on the applicant till today.</p> <p>4. Learned Advocate submits that the Respondents be directed not to take any action against the applicant till the decision of Appellant Authority.</p> <p>5. Learned P.O. while opposing the interim relief submits that the applicant is challenging the order of 23.03.2022 before the Appellant Authority. She needs to take proper instructions on the point of service of notice dated 06.05.2022.</p> <p>6. Considering the time frame as stated by the learned Advocate and so also the facts that the notice dated 06.05.2022 is not served on the Applicant, notice is given to the Respondent to place the correct facts before the Tribunal on or before on 23.05.2022.</p> <p>7. It is made clear that no such order that Respondent should not take any action against the applicant during the Appeal period can be passed at this stage.</p> <p>8. Adjourned to 23.05.2022.</p> <p style="text-align: center;"><b>Sd/-</b> <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

<p align="center">Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p align="center"><b>Date : 19.05.2022</b> <b>Tribunal's orders</b> <b>M.A.No.293 of 2022 in O.A.No.462 of 2022</b></p>
	<p>M.R. Khude &amp; Ors. ....Applicants Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. This is an application for leave to sue jointly.</p> <p>3. Considering the cause of action pursued by the Applicants is common, concurrent and usual, the cases are not required to be decided separately.</p> <p>4. In this view of the matter, the present Misc. Application is allowed subject to Applicants paying requisite court fees, if not already paid.</p> <p>5. M.A. is allowed.</p> <p 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

**Date : 19.05.2022**

**O.A.No.462 of 2022**

M.R. Khude & Ors. ....Applicants  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Ms. Punam Mahajan, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents
2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
3. Issue notice before admission returnable on 06.06.2022.
4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
7. Adjourned to 06.06.2022.

Sd/-

(Mridula Bhatkar, J.)  
Chairperson

prk

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 19.05.2022
	<b>O.A.No.455 of 2022 with O.A.456 of 2022</b>
	S.R. Gadhari (O.A.455/2022) P.V. Shirbhate (O.A.456/2022) .....Applicants
	Vs.
	The State of Maharashtra & Ors. ....Respondents.
	1. Heard Ms. Savita Suryawanshi, learned Advocate for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
	2. In these matters both the Applicants are praying that the Respondents be directed to call the Applicants for the interview for the post of Deputy Education Officer, Class-II posts.
	3. Learned Advocate submits that the Applicant in O.A.No.455/2022 has secured 92 marks and Applicant in O.A.No.456/2022 has secured 130 marks.
	4. Learned P.O. is directed to contact the M.P.S.C. today itself and inform the Tribunal as to the day of interview.
	5. Applicants pray that they should be allowed to appear for the examination. The Applicant in O.A.No.456/2022 belongs to TYPE-A (Blindness Low Vision) category. They are teachers therefore Respondents have considered them from District Technical Service (DTS) category however, there are order of this Tribunal wherein similarly situated persons were allowed to appear for the examination and on the other hand there is order of the Nagpur Bench of this Tribunal rejecting the O.A.
	6. Learned Advocate submits that the said order of the Nagpur Bench is challenged before the Hon'ble High Court bearing Writ Petition No.2658/

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>2022 wherein by order dated 17.05.2022 the Hon'ble High Court has granted liberty to move during the vacation before the Interviews.</p> <p>7. Learned P.O. on instructions from the Deputy Secretary, M.P.S.C. submits that the interview of this post will not be conducted before 15.06.2021. She further submits that there are two categories i.e. DTS and Maharashtra Education Service (MES). The order dated 04.10.2018 passed in O.A.No.634/2017 is challenged before the Hon'ble High Court is for allowing the DTS candidates to appear for the interview and not stay is granted by the Hon'ble High Court till date.</p> <p>8. Learned P.O. to file affidavit-in-reply by next date.</p> <p>9. At the request of learned Advocate adjourned to 15.06.2021.</p> <p style="text-align: right;">Sd/- / <b>(Mridula Bhatkar, J.)</b> <b>Chairperson</b></p> <p>prk</p>



**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_ DISTRICT  
..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders Date : 19.05.2022
	<b>O.A.No.461 of 2022</b>
	<p>Dr. K.N. Mavchi .....Applicant Vs. The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Mr. R.M. Kolge, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant working as Medical Officer, Group-A at Primary Health Centre, Kelva Mahim challenges her transfer order dated 27.04.2022 to Primary Health Center at Sakharshet Javhar.</p> <p>3. Learned Advocate submits that the said order is challenged on two grounds :</p> <p style="padding-left: 40px;">Firstly the Officer i.e. Respondent No.3, District Health Officer, ZP is not a competent authority to issue the transfer order or the deputation order of the applicant, as the Applicant is a Group-A, Medical Officer, hence the competent authority is the concerned Ministry under Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 (hereinafter referred as ROT Act, 2005 for brevity) Secondly, if she is transferred till further order which may be considered as Deputation is a kind of punishment which is based on false allegations against her relying on the newspaper which itself is mentioned as the reference in the impugned order.</p> <p>4. Learned P.O. submits that Respondent No.2 admittedly is not a competent authority to issue the transfer order of the applicant under ROT Act, 2005. However it is a Deputation order which was passed for smooth functioning of the Public Health Centre due to certain incidents which has taken place on account of mis-behaviour of ambulance driver.</p> <p>5. Considered submissions. Perused the impugned order, Exhibit-A so also newspaper cutting, Exhibit-C.</p>

[P.T.O.]

<b>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</b>	<b>Tribunal's orders</b>
	<p>6. In view of the submissions, impugned order is hereby stayed till next date.</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 15.06.2022.</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 O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>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. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>12. Adjourned to 15.06.2022.</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

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

Tribunal's orders  
Date : 19.05.2022

O.A.No.654 of 20211

S.R. Shete .....Applicant  
Vs.  
The State of Maharashtra & Ors. ....Respondents.

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

2. Learned Advocate points out that by order dated 30.08.2021 passed by this Tribunal wherein paragraph 10 reads as follows :-

"10. The applicant not to be relieved from his post and he should be allowed to work as Talathi, Sajja Ghot, till the next date."

3. Learned Advocate submits that thereafter the Respondents filed their affidavit-in-reply and the matter is ready and the interim relief continued till today.

4. Learned Advocate submits that in May, 2022 Applicant will be completing 6 years and he may be considered for transfer in the general transfers. She further submits that Respondents have called for options from the employees who are due for transfer. However because of the order dated 30.08.2021 the Respondents did not asked the Applicant to give his option. Learned Advocate submits that as the Applicant's tenure will be completed on 05.06.2022 hence the case of the Applicant can be considered in general transfer. However, the order is hurdle and therefore his name is not considered for general transfer of this year. She prays that the said order is to be modified.

5. Learned P.O. submits that the order can be revoked either, as the Respondents wants the issue to be decided on merit as they have filed their affidavit-in-reply. She further submits that the options of the other employees are already received and this year as per the directions of the Government and the policy matter only 30% of the

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>total Civil servants are going to be transferred in the General Transfers.</p> <p>6. In view of the submissions, paragraph 10 of the earlier order dated 30.08.2021 which is reproduced above, I hereby revoked the said order with following directions :-</p> <p>The Applicant is allowed to give 10 options to the Respondent authority and the Respondent authority to transfer the Applicant as there is no order of stay and as the order of stay is revoked, if they want to do so.</p> <p>7. Adjourned to 15.06.2022. Hamdast.</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>