

**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 style="text-align: center;"><u>O.A. No.655 of 2020</u></p> <p>Dr. K.S. Deshpande ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that on telephonic instructions received from the respondents, the representations of the applicant will be decided within six weeks and the decision will be communicated to the applicant thereafter within one week.</p> <p>3. S.O. to 7.1.2021.</p> <p style="text-align: right;">Sd/- (Mridula R. Bhatkar, J.) Chairperson 19.11.2020</p> <p>(sgj)</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 : 19.11.2020.**

**O.A.No.269 of 2020**

N.P. Kawthalkar **..Applicant**  
Vs.  
The State of Maharashtra & Ors. **..Respondents**

1. Heard Shri S.D. Joshi, learned Advocate for the Applicant and Shri M.S. Mahajan, learned Chief Presenting Officer for the Respondents.

2. The learned C.P.O. informs that till today he has not received instructions or para-wise remarks from the Respondents. Hence, he is unable to file reply.

3. The matter pertains to transfer. The order dated 10.08.2020 transferring the applicant from Bhokar, District Nanded to Gadchiroli is challenged. The main ground for challenge is that the applicant is going to retire at the end of March 2021. Secondly, till today nobody is posted in place of the applicant.

4. The learned Counsel for the applicant submits that he has been informed that respondents are likely to appoint some other officer and therefore the post of Bhokar be kept vacant. The applicant is relieved on 12.08.2020, however he did not join at the transferred place. The learned Counsel submits that his son, who is 30 years old, has undergone heart surgery in the month of December, 2019, therefore, he could not join at Gadchiroli.

5. Perused the medical certificate of the son of the applicant. However, it shows admission in the hospital from 22.12.2019 to 30.12.2019. Further medical certificates are not annexed with. Hence, I do not find any good ground at this stage to grant interim relief.

6. Considering the submissions, 10 days time is given to Respondents to file reply.

7. Matter is fixed on 01.12.2020.

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson

**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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**19.11.2020**

**O.A 313/2020**

Nitin L. Thade ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri K.R Jagdale, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.

2. Speaking to minutes is filed by learned counsel for the applicant requesting to delete para 5 in the order dated 5.11.2020.

3. Para 5 in the order dated 5.11.2020 is hereby deleted by consent as matter does not relate to suspension.

4. S.O to 2.2.2021.

Sd/-

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

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 19.11.2020</b></p> <p style="text-align: center;"><b>O.A.No.313 of 2020 (Corrected Copy)</b></p> <p>N.L. Thade ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri Sumit Kate i/b. Shri Uday Wanjikar, learned Advocates for Respondent No.3.</p> <p>2. The learned Counsel for the Applicant files affidavit-in-rejoinder. The same is taken on record. Learned Counsel submits that no Departmental Enquiry is initiated.</p> <p>3. Learned Counsel Shri Wanjikar submits that reply of Respondent No.3 is already on record.</p> <p>4. The learned C.P.O. seeks time to file reply. Last chance granted to file affidavit-in-reply.</p> <p>5. Admitted and kept for final hearing on 02.02.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) 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 <b>19.11.2020</b>
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**O.A.No 303/2020**

Shri Manik N. Thosare ... Applicant

Vs.

The State of Maharashtra & Ors ... Respondents

1. Heard Shri A.V Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.

2. It is found that Respondent no. 2, though served as per submission of learned counsel for the applicant and considering the prayer mentioned it appears that if the matter is decided in favour of the applicant, it is going to affect adversely on Respondent no. 2, and therefore, one more fair chance is required to be given to Respondent no. 2, especially in the period of Corona-19 Pandemic.

3. S.O to 3.12.2020. Matter is part heard.

Sd/-

Sd/-

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

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

Akn

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date : 19.11.2020.

O.A.No.85 of 2020

N.H. Koli ..Applicant  
 Vs.  
 The State of Maharashtra & Ors. ..Respondents

1. Heard Shri S.D. Joshi, learned Advocate holding for Shri Kakasaheb Jadhav, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant prays that the order dated 27.12.2019 be quashed and set aside. The Applicant who is from S.T. category is working as Peon with the Respondent No.3 since 22.05.2002. Thereafter, by order dated 27.12.2019, the applicant is placed on supernumerary post as per G.R. dated 21.12.2019 till the period of 11 months or till the date of retirement whichever is earlier.

3. It is informed by learned P.O. that the applicant has till today not produced any caste validity certificate of S.T. category but he has produced Special Backward Class certificate, which cannot be of any help to the applicant.

4. In view of judgment of Hon'ble Supreme Court in *Chairman & Managing Director V/s. Jagdish Balaram Bahira, C.A.8928/2015, dated 06.07.2017* the learned P.O. to give reply, especially on the point whether the applicant was appointed as Project Affected Category or is appointed from S.T. Category.

5. In view of this, reply be filed on next date and copy of reply be send to learned Advocate at least a day advance i.e. on 25.11.2020.

6. S.O. to 26.11.2020.

Sd/-

Sd/-

(P.N. Dixit)  
Vice-Chairman

(Mridula R. Bhatkar, J.)  
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A. No.668 of 2020

Dr. D.P. Mane ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

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

2. The applicant is an Administrative Officer, Class I in Higher Education Department at Kolhapur. He challenges the order dated 29.10.2020 by which he is directed to render services in the office of Director, High Education, Pune. He also challenges subsequent order dated 3.11.2020 of relieving him mainly on the ground that he is going to retire in July, 2021 and hence it is against Section 5 of the Transfer Act. Proper procedure is not followed while transferring him from Kolhapur to Pune. Ld. Advocate for the applicant points out the representation dated 31.10.2020 made by him and the order dated 10.11.2020 rejecting the said representation.

3. Ld. CPO submits that this is not a transfer but the services of the applicant are borrowed by Higher Education Department, Pune. In order dated 29.10.2020 the authority has clarified that so far as original establishment and the pay scale etc. are concerned, it will be at Kolhapur Division.

4. Ld. CPO prays for two weeks time to obtain instructions. Two weeks time is granted to take instructions and if possible to file reply.

5. However, prima face case is made out for grant of interim relief. Interim relief is granted for two weeks.

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

Tribunal's orders

6. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.
7. Issue notice before admission returnable on 3.12.2020.
8. Applicants are 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.
9. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
10. 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.

Sd/-

(Mridula R. Bhatkar, J.)

Chairperson

19.11.2020

(sgj)



**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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M.A. No.292 of 2020 in O.A. No.569 of 2020

The State of Maharashtra ..Applicant  
(Ori. Respondent)

Vs.

Shri Subhash B. Khade ..Respondent  
(Ori. Applicant)

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

2. This MA is moved by the State to vacate the interim order dated 15.10.2020 passed in the above OA and direct the respondent-original applicant to join duty at Scheduled Caste Tribe Verification Committee, Nasik forthwith.

3. In order dated 5.11.2020 in MA, the reason for the MA are mentioned in para 3, 5 & 6, which is reproduced below:

*"3. The MA is filed by the State for the cancellation of interim stay order passed on 15.10.2020 mainly on the ground that though after taking circulation matter was posted on board on 15.10.2020. In the notice given by the learned Counsel on 13.10.2020 she has mentioned the date for the matter as 20.10.2020. The learned P.O. submits that therefore on that date the officer from the respondent did not attend the C.P.O. office and therefore the learned P.O. was left without instructions and without supportive documents.*

*5. Perused the photocopy of the notice given by learned Counsel dated 13.10.2020 and it shows that the learned Counsel has communicated that the matter is scheduled on 20.10.2020. However the matter in fact was taken on 15.10.2020.*



Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. <i>Prima facie it is a good ground to cancel the order or to lift the stay. However today learned Counsel is not present and the M.A. is filed today. Therefore the matter along with MA is fixed on 19.11.2020 as First on Board.</i></p> <p>4. The Ld. Advocate for the Respondent-original applicant submits that in the affidavit in reply filed on behalf of the respondent-original applicant wherein in para 4 the respondent-original applicant has mentioned that it was an unintentional mistake and there was no act of misleading the Tribunal and has tendered the apology.</p> <p>5. In view of these, submissions in para 4 are accepted. Therefore, it is necessary to vacate the interim stay granted on 15.10.2020 in the above OA. MA is allowed in terms of para 16(2) which reads as under:</p> <p><i>"2. This Hon'ble Tribunal may be pleased to vacate the interim order dated 15.10.2020 and direct the respondent to join duty at Scheduled Tribe Caste Verification Committee, Nasik forthwith."</i></p> <p>6. MA disposed off accordingly.</p> <p>7. Affidavit in reply filed on behalf of respondent no.2 in OA is taken on record.</p> <p>8. OA adjourned to 8.1.2021.</p> <p style="text-align: right;">Sd/- / (Mridula R. Bhatkar, J.) Chairperson 19.11.2020</p> <p>(sgj)</p>

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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><b>19.11.2020</b></p> <p><b><u>O.A 322/2020</u></b></p> <p>Smt P.A Chavan ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned advocate for the applicant submits that the applicant is posted as per her request and her grievance is redressed.</p> <p>3. With the above submission, nothing remains in the matter and the Original Application stands disposed of.</p> <p style="text-align: right;">Sd/-  <b>(Mridula Bhatkar, J.) Chairperson</b></p>

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>19.11.2020</u></p> <p><b><u>O.A 595/2020</u></b></p> <p>Smt Neelima B. Kumbhar ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Vaishali Jagdale , learned advocate for the applicants and Smt Kranti.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant states that the applicant is give alternative Service Quarter and her grievance is redressed.</p> <p>3. In view of the above, nothing remains in the Original Application and the same is disposed of.</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p>

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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b><u>19.11.2020</u></b></p> <p><b><u>O.A 648/2020</u></b></p> <p>V.S Sawant ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The applicant prays for pre and post retirement benefits. The applicant retired on 28.2.2018.</p> <p>3. Learned P.O seeks time to file and take instructions as per Exhibit 'A'. Learned P.O is directed to file reply and to give copy of reply in advance to the applicant.</p> <p>4. S.O to 21.1.2021.</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.432 of 2020</u></p> <p>B.V. Rikame ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Ld. Advocate for the applicant has tendered written instructions dated 16.11.2020 of the applicant for withdrawal of the above OA No.432 of 2020. The same is taken on record and marked Exhibit '1' for identification.</p> <p>3. In view of the above OA is allowed to be withdrawn and disposed off as such.</p> <p align="right">Sd/-  (Mridula R. Bhatkar, J.) Chairperson 19.11.2020</p> <p>(sgj)</p>

Date : 19.11.2020

O.A. No.1013 of 2019

S. B. Metkar .....Applicant  
Versus  
The State of Maharashtra & Ors. ...Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant and Shri A. J. Chougule, learned Presenting Officer for the Respondents.

2. In this O.A., the Applicant was working as Assistant Superintendent in Rural Hospital, Nashik since 2013. At the time of general transfer of 2018, he made representation seeking transfer at Nashik. As his representation was not considered, he has filed O.A.No.581/2018 which was disposed of by order dated 18.03.2019 whereby directions were given to the Respondents to consider the representation of the Applicant sympathetically.

3. However, the Respondent Nos.1 and 2 have posted the Respondent No.4 Shri Vishal Gangurde in the office of Deputy Director, Health Services, Nashik on promotion by order dated 21.06.2019 which is challenged by the Applicant in the present O.A.

4. After hearing learned Counsel for the Applicant and learned P.O. for quite some time, Shri A. V. Bandiwadekar, learned Counsel for the Applicant on instructions from Applicant who is present before the Tribunal seeks permission to withdraw the O.A. with liberty to make a representation for transfer in general transfer of 2021.

5. Indeed, in the meantime, the Applicant was transferred at Trimbakeshwar, Nashik by order dated 18.09.2019 considering his representation.

6. As such, during pendency of O.A., the Applicant is accommodated at Trimbakeshwar which is 35 km away from Nashik. The order dated 18.09.2019 for transfer at Trimbakeshwar is not challenged by the Applicant in present O.A.

7. It is on the above background, learned Counsel for the Applicant seeks permission to withdraw the O.A. instead of ~~decided the O.A.~~ on merit.

8. In view of above, permission is granted to withdraw the O.A. and O.A. is accordingly disposed of with no order as to costs.

9. The Applicant is at liberty to make representation in general transfer of 2021 which may be considered in accordance to rules and regulations.

Sd/-

(A.P. Kurhekar)  
Member(J)

**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 : 14.11.2020</p> <p align="center">O.A. No.59 of 2020</p> <p>K. B. Jagtap .....Applicant</p> <p><b>Versus</b></p> <p>The State of Maharashtra &amp; Ors. ...Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Shri Arvind V. Bandiwadekar, learned Counsel for the Applicant, Smt. Archana B. K., learned Presenting Officer for the Respondent No.1 and Shri K.R. Jagdale, learned Counsel for the Respondent No.2.</li> <li>2. Today, learned Counsel for the Applicant has filed two separate Affidavit-in-Rejoinder. Those are taken on record.</li> <li>3. Smt. Archana B. K., learned P.O. for the Respondents submits that he is filing Affidavit in Sur-Rejoinder during the course of the day. It be taken on record.</li> <li>4. Matter is adjourned for hearing at the stage of admission.</li> <li>5. S.O. to 01.12.2020.</li> </ol> <p align="right">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>



Date: 19.11.2020

M.A. No.247 of 2020 in O.A. No.122 of 2020

A.S. Bhamare .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. The Applicant has filed O.A. No.122/2020 challenging the order dated 26.06.2018 passed by Respondent No.1, Commissioner of Thane thereby treating the period of suspension from 16.09.2003 to 18.11.2004, "As such" under Rules 72 (7) & (5) of Maharashtra Civil Services (M.C.S.) (Joining time, Foreign service and Payments during suspension, dismissal and removal), Rules 1981.
3. The Applicant has also simultaneously filed appeal against impugned order dated 26.06.2018 before Respondent No.2 i.e. Government.
4. Thus it appears that Applicant has also simultaneously filed appeal before the Government and during the pendency of appeal (there being no decision on appeal within reasonable time) he has filed present O.A.
5. Interestingly to <sup>note</sup> know that as per information availed under R.T.I. from Government the Applicant was informed that the disciplinary authority i.e. Commissioner of Police is competent authority.
6. In view of above, learned P.O. is directed to take instructions from Respondent No.2 about status of appeal filed by the Applicant and to inform the Tribunal on next date without fail.
7. S.O. to 26.11.2020.

Sd/-

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

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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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 : 19.11.2020</b></p>
	<p><b>O.A. No.1174 of 2019</b></p> <p><b>V. V. Panse</b> .....Applicant</p> <p><b>Versus</b></p> <p><b>The State of Maharashtra &amp; Ors.</b> ...Respondents.</p> <p>1. Heard the Applicant in person and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant requested for adjournment on the ground that today his Advocate is unable to attend the matter.</p> <p>3. The matter is adjourned for hearing at the stage of admission.</p> <p>4. S.O. to 15.12.2020.</p> <p style="text-align: right;">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

Date: 19.11.2020

M.A. No.232 of 2020 in O.A. No.66 of 2020

Dr. A.S. Mane .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. This M.A. No.232/2020 in O.A. No.66/2020 is restored, In view of order passed in M.A. No.293/2020 today.
3. Issue fresh notice in M.A. before admission returnable on 15.12.2020. Private notice is allowed.
4. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
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 Original Application. 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.
8. In case notice is not collected within three days or service report on affidavit is not filed 3 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. S.O. to 15.12.2020.

Sd/-

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

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

Tribunal's orders

Date: 19.11.2020

M.A. No.293 of 2020 in M.A. No.232 of 2020  
in O.A. No.66 of 2020

Dr. A.S. Mane .....Applicant  
Versus  
The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. The Applicant has filed O.A. No.66/2020 regarding retirement benefits and thereafter filed M.A. No.232/2020 for condonation of delay.

3. In M.A. No.232/2020 order was passed to issue notice on 01.10.2020.

4. However, Applicant failed to collect the notice within seven days and to file Affidavit-in-Service before three days of returnable date. Therefore, M.A. No.232/2020 is deemed to have been dismissed. Though there is no specific endorsement of office about the dismissal, due to non compliance of condition order M.A. No.232/2020 is deemed to have been dismissed.

5. Learned Advocate for the Applicant requested for restoration of M.A. No.232/2020 stating that due to lockdown his client could not collect the notice within seven days from the date of order.

6. In view of above M.A. No.293/2020 for restoration deserves to be allowed. It is accordingly allowed with no order as to costs.

Sd/-

(A.P. Kurhekar)  
Member (J)

**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><b>Date: 19.11.2020</b></p> <p align="center"><b>O.A. No.718 of 2020</b></p> <p><b>D.R. Pawar</b> .....Applicant  <b>Versus</b>  <b>The State of Maharashtra &amp; Ors.</b> ....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has filed present O.A. challenging the order dated 30.05.2017 whereby punishment of fine equal to basic pay is imposed and he has also challenged order dated 03.06.2017 whereby period of suspension from 25.02.2016 to 16.05.2017 is treated as such under Rules 72 (1) (A) (B) of Maharashtra Civil Services (M.C.S.) (Joining time, Foreign service and Payments during suspension, dismissal and removal), Rules 1981. During the course of hearing it is transpired that the Applicant has already challenged order of punishment by filing the appeal before the Government on 31.07.2017. However, till date no decision is taken in appeal. If the appeal is allowed, challenge to the order dated 03.06.2017 could not survive.</p> <p>3. The Applicant stands retired on 31.05.2017.</p> <p>4. Regret to note that though the period of more than three years is over appeal is not yet decided.</p> <p>5. Thus Applicant is availing two remedies simultaneously.</p> <p>6. Therefore it would be appropriate to direct the Government to decide the appeal in accordance to law and to dispose of the present O.A.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. In view of above the O.A. is disposed of with directions to Respondent No.2 to decide the appeal filed by the Applicant within two months from today in accordance to law and the decision shall be communicated to the Applicant within two weeks thereafter.</p> <p>8. If applicant feel aggrieved by the decision he may avail appropriate legal remedy.</p> <p>9. No order as costs.</p> <p style="text-align: right;">Sd/- _____ W (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s


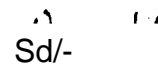
(Advocate .....

*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	19.11.2020 Tribunal's orders
	<p style="text-align: center;"><b><u>O.A.No 620, 621 &amp; 624/2020</u></b></p> <p>Shri Pratap L Kamble [O.A 620/2020] Shri Manohar P. Idekar [O.A 621/2020] Shri Ramji M. Rathod [O.A 624/2020]... Applicants Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Mrs Punam Mahajan , learned advocate for the applicants and Ms Swati Manchekar , learned C.P.O for the Respondents.</p> <p>2. Applicants pray for promotion to the post of Assistant Conservator of Forest. The applicants relies on the letter dated 29.12.2017 in O.A no 953/2019, 807/2019, 939/2019 and 991/2019 and G.R dated 28.2.2017.</p> <p>3. Learned C.P.O seeks time to take instructions. Respondent no. 2 to consider the orders passed by this Tribunal and may take necessary steps.</p> <p>4. S.O to 9.2.2020.</p> <p style="text-align: center;">Sd/- </p> <p style="text-align: center;">(P.N Dicit) Vice-Chairman (A)</p> <p style="text-align: right;">Sd/-  (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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 <b>19.11.2020</b>
	<p style="text-align: center;"><b><u>O.A.No 661/2020</u></b></p> <p>Shri Pravin R. Ninave ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Mrs Punam Mahajan , learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. Learned P.O is directed to file reply and seek necessary instructions without fail.</p> <p>3. S.O to 26.11.2020.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">/ ~ ~</p> <p>(P.N Dixit) Vice-Chairman (A) Akn</p> <p style="text-align: right;">(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	Date : 19.11.2020. Tribunal's orders O.A.No.649 of 2020
	<p>T.P. Rathod ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Counsel for the Applicant submits that he has received written application from the applicant to withdraw the O.A. Application is taken on record and marked as 'Exhibit X'.</p> <p>3. O.A. is allowed to be withdrawn.</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>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
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Date : 19.11.2020.

M.A.No.246 of 2020 in O.A.No.927 of 2017

G.D. Jadhav ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Applicant in person and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. In this O.A. the applicant challenges the order to quash and set aside the D.E. charge-sheet issued to applicant on 30.06.2017.

3. At the request of learned C.P.O. adjourned to 15.01.2021.

Sd/-

(P.N. Dixit)  
Vice-Chairman

Sd/-

(Mridula R. 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
	<p><b>Date : 19.11.2020.</b></p> <p><b>M.A.No.248 of 2020 in O.A.No.1017 of 2018</b></p> <p>V.P. Kapade ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The learned P.O. submits that affidavit-in-reply will be filed during the course of the day. The same be taken on record.</p> <p>3. S.O. to 26.11.2020.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(P.N. Dixit) Vice-Chairman</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula R. 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
	<p><b>Date : 19.11.2020.</b></p> <p><b>C.A.No.26 of 2020 in O.A.No.1125 of 2019</b></p> <p>P.S. Sakhare &amp; Ors. ..Applicants Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri Bhushan A. Bandiwadekar, learned Advocate for the Applicants and Ms. S.P, Manchekar, learned Chief Presenting Officer holding for Ms. N.G. Gohad, learned P.O. for the Respondents.</p> <p>2. Learned C.P.O. seeks one week for filing reply, granted two weeks time.</p> <p>3. S.O. to 10.12.2020.</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>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 : 19.11.2020.
	<b>O.A.No.606 of 2020</b>
	D.K. Landge <span style="float: right;">..Applicant</span> Vs. The State of Maharashtra & Ors. <span style="float: right;">..Respondents</span>
	Heard Shri M.V. Thorat, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
	2. The applicant who is a Doctor, had applied for the post of Civil Surgeon. He challenges the order dated 15.09.2020 issued by the respondents by which nearly 87 medical officers are promoted as Medical Superintendent at various places in State of Maharashtra. The contention raised by the applicant is that they all are adhoc and their posts are merged in the quota of the direct recruits.
	3. The learned C.P.O submits that the order cannot be stayed at this stage and seeks time for the instructions.
	4. Time granted. Adjourned to 19.01.2021.
	Sd/- <span style="float: right;">Sd/-</span> (P.N. Dixit) <span style="float: right;">(Mridula R. Bhatkar, J.)</span> Vice-Chairman <span style="float: right;">Chairperson</span>
prk	

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date : 19.11.2020.</b></p> <p><b>O.A.No.613 of 2020</b></p> <p>S.N. Swami ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 28.01.2021.</p> <p>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 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>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.</p> <p>6. 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>7. Applicant prays that the order dated 29.08.2020, in respect of his dismissal, is to be quashed and set aside.</p> <p>8. S.O. to 28.01.2021.</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>prk</p>

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

Tribunal's orders

Date : 19.11.2020.

O.A.No.590 of 2020

S.B. Khutale  
Vs.

..Applicant

The State of Maharashtra & Ors.

..Respondents

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

2. The learned P.O. prays for time to file reply.

3. The applicant prays that the respondents be directed to consider him for promotion from 1996. It appears from the record that the applicant has not made representation to the respondent authority mentioning that he was denied promotion for 24 years.

4. The learned Counsel submits that the cause of action occurred when the respondent issued Government Resolution pertaining to promotion related to the cadre of the applicant. However, there is considerable delay which is not explained. No application for condonation of delay is made. Hence, the present Original Application is not maintainable

5. O.A. is dismissed as it is not maintainable.

Sd/-

(P.N. Dixit)  
Vice-Chairman

Sd/-

(Mridula R. 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 : 19.11.2020.</p> <p style="text-align: center;"><b>O.A.No.665 of 2020</b></p> <p>H.R. Jadhav ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri P.S. Bhavake, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No.1 &amp; 2.</p> <p>2. Pursuant to order dated 12.11.2020, the learned P.O. produces copy of a letter dated 18.11.2020 of Home Department informing the Additional Director General, Prisons that the notice dated 19.10.2020 issued by the Respondents is withdrawn. Copy of the same is taken on record and marked as Exhibit -1. However, queries made by the Tribunal in the said order are not yet answered.</p> <p>3. The learned P.O. prays for time as instructed by the officer present in the Tribunal.</p> <p>4. It is directed that the respondents should put their decision in writing and place the same before the Tribunal on the next date.</p> <p>5. S.O. to 24.11.2020.</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>prk</p>



Date : 19.11.2020.

O.A.No.653 of 2020

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

Heard Shri V.V. Ugle, learned Advocate A/w S.B. Talekar & Associates. for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. The applicant challenges the order dated 23.10.2020 about his cancellation of Sports Certificate. On perusing the order it appears that the applicant has forged the certificate and so also the affidavit. Therefore his certificate was cancelled. It appears that there is a possibility of forgery.

3. The learned C.P.O. points out that appeal was provided against the order passed by Acting Deputy Director Sports Youth Service, Pune Division, which he should. Hence O.A. is not maintainable.

4. The learned Counsel relies on the order in O.A. 662/2020 where this Tribunal has granted interim relief till 15.12.2020. As per the contention of the applicant the facts in this O.A. and the O.A.No.662/2020 are on the same lines.

5. In view of this, though not similar, the matter is kept on along with other matters on the same date. No interim relief granted.

6. S.O. to 26.11.2020.

Sd/-

(P.N. Dixit)  
Vice-Chairman

prk

Sd/-

(Mridula R. Bhatkar, J.)  
Chairperson

**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><b>Date : 19.11.2020.</b></p> <p align="center"><b>O.A.No.654 of 2020</b></p> <p>A.A. Gaikwad ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri V.V. Ugle, learned Advocate A/w S.B. Talekar &amp; Associates. for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. In this matter, Applicant is working as Police Sub-Inspector, challenges the order dated 23.10.2020 whereby his Sports Verification Certificate has been cancelled.</p> <p>3. The learned Counsel for the Applicant relies on the order passed by this Tribunal on 10.11.2020 in O.A.No.662/2020, filed by Smt. Punam Mahajan, whereby interim relief was granted in similar issues.</p> <p>4. All these matters are to be taken up together, which are in respect of cancellation of Sports certificate pursuant to the order passed by the Director of Sports, Pune, Aurangabad and Kolhapur. We are informed that in more than 300 matters such orders are passed and therefore for better clarification we want Director of Sports, to remain present along with the relevant record and instructions.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. The learned Advocate Smt. Punam Mahajan is informed that the Tribunal would like to take all the matters on the same date and therefore O.A.No.662/2020 which is adjourned to 15.12.2020 is hereby advanced and fixed on 26.11.2020. In view of this, O.A.No.662/2020 is advanced because it appears that there is some confusion and therefore in order to rectify the entire issue, we think it is necessary to advance the matter and keep all the matters on 26.11.2020.</p> <p>6. The learned Advocate Smt. Punam Mahajan has requested that similar matters i.e. O.A.No.673/2020, O.A.No.674/2020, O.A.No.675/2020 and O.A.No.676 /2020 also be taken up on the same date.</p> <p>7. The learned Advocate Shri Vinod P. Sangvikar, who appears on behalf of Applicant in O.A.No.670/2020 has filed pursis and states that his matter is also similar to the present O.A.</p> <p>8. S.O. to 26.11.2020 along with similar matters, till then the services of all these applicants are protected.</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>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	<u>19.11.2020</u> Tribunal's orders
	<b><u>O.A 619/2020</u></b>
	<p>P.U Rathod ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Shri G.A Bandiwadekar, learned advocate for the applicants and _____, learned P.O for the Respondents.</p> <p>2. The applicant prays that the suspension order dated 1.4.2020 be quashed and set aside and he be given all consequential benefits and he be posted in the office of Tahsildar, Mokhada, Dist-Palghar as Awal Karkun, and order of posting dated 10.10.2020 in the office of Tahsildar, Vikramgad, Dist-Palghar be set aside.</p> <p>3. Learned counsel for the applicant informs that on 8.11.2020 the applicant is relieved from Mokhada, Dist-Palghar.</p> <p>4. On query it is informed that till today he has not joined. The applicant is directed to join forthwith.</p> <p>5. S.O to 7.1.2021.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p>
	Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<b>19.11.2020</b>
	<b><u>O.A 646/2020</u></b>
	A.D Kakatkar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents
	1. Heard Shri M.D Lonkar, learned advocate for the applicants and Ms Archana B.K, learned P.O for the Respondents.
	2. The applicant prays that he is entitled to promotion on the basis of deemed date, i.e. 1.6.2017 or 31.10.2017 and not as per order dated 27.11.2018.
	3. Learned counsel for the applicant states that applicant has filed representations on 5.5.2019, However, it was not considered properly. Again he made representation on 6.9.2019 and it was not at all looked into. Last representation was submitted by the applicant on 27.10.2020.
	4. Learned P.O seeks time to file reply and obtain instructions as the applicant is retiring at the end of December, 2020.
	5. S.O to 8.12.2020.
	Sd/-  (Mridula Bhatkar, J.) Chairperson
	Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

(Advocate .....)

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	19.11.2020 Tribunal's orders
	<p style="text-align: center;"><b><u>O.A 660/2020</u></b></p> <p>P.A Jadhav ... Applicant Vs. The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt K.S Gaikwad, holding for Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 10.12.2020.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;"><b>(Mridula Bhatkar, J.) Chairperson</b></p>

Akn

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI**

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

I N

Original Application No. \_\_\_\_\_ of 20 \_\_\_\_\_

**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.664 of 2020</u></p> <p>C.J. Jadhav ..Applicant Vs. The State of Maharashtra &amp; Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 &amp; 2 and Smt. Savita T. Suryawanshi, learned Advocate for Respondent No.3.</p> <p>2. Speaking to minutes in the order dated 12.10.2020.</p> <p>3. Ld. Advocate Smt. Savita T. Suryawanshi, representing respondent no.3 was present on 12.10.2020. However, appearance is not shown to that effect. The correction in the order is required on first page before Coram. Correction be carried out.</p> <p align="right">Sd/- (Mridula R. Bhatkar, J.) Chairperson 19.11.2020</p> <p>(sgj)</p>

# IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate .....

*versus*

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<b><u>19.11.2020</u></b>
	<b><u>O.A 659/2020</u></b>
	<p>S.P Aher ... Applicant</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra &amp; Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt K.S Gaikwad holding for Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Pursuant to order dated 10.11.2020 the learned P.O was directed to file reply and also to inform the decision on the representation dated 30.10.2020 made by the applicant to the Respondent. However, learned P.O submits that the officer who is present informs that the decision is not yet taken on his representation and the representation is before higher authority.</p> <p>3. Learned counsel produces copy of letter dated 2.11.2020 of the Joint Commissioner of Police, Thane addressed to D.G.P, Mumbai to cancel the transfer of the applicant. Same is taken on record and marked as Exh.-1.</p> <p>4. On perusal of the record it is found that applicant is to retire within 7 months and he has college going son and daughter, who are studying in the colleges in Thane. Moreover, he was not due for transfer. Learned advocate for the applicant files affidavit of service of Respondent no. 4. Same is taken on record.</p> <p>5. Respondent no. 4 is to be informed by Respondents 1, 2 and 3 who has been posted to Thane from Shantinagar Police Station, Bhiwandi.</p> <p>6. Learned counsel for the applicant on instructions submits that till today the post at Shanginagar Police Station, Bhiwandi is vacant.</p> <p>7. Applicant not to join at Dhule till 24.11.2020</p> <p>8. S.O to 24.11.2020.</p>
	<p>Sd/-</p> <p><b>(Mridula Bhatkar, J.)</b> 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
	<p>Date: 19.11.2020</p> <p>O.A. No.223 of 2020</p> <p>D.N. Kamble &amp; 5 Ors. ....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of Advocate for the Applicant two weeks time is granted for filing Rejoinder.</p> <p>3. S.O. to 01.12.2020.</p> <p style="text-align: right;">^ Sd/-  W (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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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: 19.11.2020</p> <p align="center"><b>O.A. No.184 of 2020</b></p> <p>S.G. Sali .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Shri C.T. Chandratre, learned Advocate for the Applicant is absent and Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Shri A.J. Chougule learned P.O. for the Respondent has filed Affidavit-in-Reply on behalf of Respondent No.1to3. It is taken on record.</p> <p>3. Adjourned for hearing at the stage of admission on 10.12.2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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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: 19.11.2020</p> <p>O.A. No.167 of 2020 with O.A. No.168 of 2020 with O.A. No.169 of 2020 with O.A. No.170 of 2020 with O.A. No.171 of 2020</p> <p>Dr. N.N. Inamdar (O.A.167/2020) Dr. P.M. Ghorpade (O.A.168/2020) Dr. J.B. Ghorpade (O.A.169/2020) Dr. V.G. Memane (O.A.170/2020) Dr. G.V. Chougule (O.A.171/2020) .....Applicants Versus The State of Maharashtra &amp; Ors. ...Respondents.</p> <p>1. Shri J.S. Deshmukh, learned Advocate for the Applicant has tendered leave note and Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On the request of learned P.O. three weeks time is granted for filling Reply.</p> <p>3. S.O. to 08.12.2020.</p> <p align="right">^ Sd/-  (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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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: 19.11.2020</p> <p align="center"><b>O.A. No.130 of 2020</b></p> <p>S.V. Sonar .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri D.R. Patekar, Learned Advocate for the Applicant holding for Shri L.S. Deshmukh, learned Advocate for the Applicant, Smt. Archana B.K., learned Presenting Officer for the Respondents No.1&amp;2 and Shri S.R. Pawar, learned Advocate for the Respondent No.3.</p> <p>2. Today, learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2 and Shri S.R. Pawar, Advocate for the Respondent No.3 has also filed Affidavit-in-Reply on behalf of Respondent No.3.</p> <p>3. These are taken on record.</p> <p>4. Adjourned for hearing at the stage of admission on 08.12.2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
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**FARAD CONTINUATION SHEET No.**

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.11.2020</p> <p align="center">M.A. No.223 of 2020 in R.A. No.09 of 2020 with M.A. No.278 of 2020 in R.A. No.13 of 2020</p> <p>The State of Maharashtra &amp; Ors. (Org. Resp.) .....Applicant Versus U.G. Salgaonkar (Org. Appl.) .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicants (Org. Respondents) and Shri U.V. Bhosale, learned Advocate for the Respondent (Org. Applicant).</li> <li>2. Shri U.V. Bosale learned Advocate for the Applicant fairly submits that he has no objection to condone delay and to allow M.A.</li> <li>3. In view of above delay in filing review is condoned and M.A. No.223/2020 and M.A. No.278/2020 are allowed.</li> <li>4. Accordingly M.A. No.223/2020 and M.A. No.278/2020 are disposed with no order as to costs.</li> <li>5. Review Application to be kept for hearing on 04.12.2020.</li> </ol> <p align="right">Sd/-     (A.P. Kurhekar)  Member (J)</p> <p>NMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><b>Date: 19.11.2020</b></p> <p align="center"><b>M.A. No.297 of 2020 in R.A. No.09 of 2020 in O.A. No.536 of 2018</b></p> <p><b>The State of Maharashtra &amp; Ors. (Org. Resp.)</b> .....Applicant <b>Versus</b> <b>U.G. Salgaonkar (Org. Appl.)</b> .....Respondents.</p> <ol style="list-style-type: none"> <li>1. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Applicants (Org. Respondents) and Shri U.V. Bhosale, learned Advocate for the Respondent (Org. Applicant).</li> <li>2. This M.A. No.297/2020 is filed to bring legal heir of deceased Shri Uday Salgaonkar on record who died on 27.10.2019.</li> <li>3. O.A. No.536/2018 was decided alongwith the connected O.A. on 10.10.2019 against which Government has filed R.A. and now M.A. is filed to bring heir of deceased Shri Uday Salgaonkar on record.</li> <li>4. Shri U.V. Bhosale learned Advocate for the Applicant have no objection to bring heir of deceased Shri Uday Salgaonkar on record.</li> <li>5. In view of above M.A.297/2020 is allowed.</li> <li>6. The names of legal heirs of deceased Shri Uday Salgaonkar be brought on record in R.A.09/2020 as well as in M.A.223/2020 in place of Shri Uday Salgaonkar.</li> <li>7. The necessary amendments be carried out within three days.</li> </ol> <p align="right">Sd/-  (A.P. Kurhekar) Member (I)</p> <p align="center">MMN</p>

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.11.2020</p> <p align="center">M.A. No.536 of 2019 in O.A. No.136 of 2018</p> <p>K.V. Patil .....Applicant Versus The State of Maharashtra &amp; Ors. ....Respondents.</p> <p>1. Heard Shri Arvind V. Bandiwadekar, learned Advocate for the Applicant, Ms S.P. Manchekar, learned Chief Presenting Officer for the Respondents No.1&amp;3 and Shri B.G. Gade, Intervener in person is present.</p> <p>2. Today, Intervener has filed Affidavit-in-Reply in M.A.. It is taken on record.</p> <p>3. Intervener Shri Bharat Gade requested for adjournment on the ground that his Advocate is unable to remain present today due to personal difficulties.</p> <p>4. Adjourned for hearing on 26.11.2020.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>