

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.12.2023</p> <p style="text-align: center;">O.A. No.730 of 2023</p> <p>Dr. R.M. Gangurde,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri P. Bodke-Patil, learned Advocate for the Applicant, Smt K.S. Gaikwad, learned Presenting Officer for the Respondents and Shri D.V. Sutar, learned Advocate for the Respondent No.6.</p> <p>2. Learned Advocate for the Applicant states that she has been transferred on 09.06.2023 from post of 'Medical Officer' in 'Health Sub Centre, Girname, Nandgaonsado, Tahsil-Igatpuri, District Nashik' to the post of 'Medical Officer' in 'Public Health Centre, Varkheda, Tahsil Dindori, District Nashik' by 'Transfer Order' of 'Public Health Department' dated 09.06.2023.</p> <p>3. Learned Advocate for the Applicant further states that Applicant has worked for long period of time of almost 28 Years in 'Tribal and Remote Areas'. She had given 5 options for transfer which included retention on the present post of 'Medical Officer' in 'Health Sub Centre, Girname, Nandgaonsado, Tahsil-Igatpuri, District Nashik' or transfer to post of 'Medical Officer' in (i) Primary Health Center, MHU Bhauli Khurd, Tahsil Igatpuri, District Nashik (ii) Kishor Sudharalaya, Tahsil Nashik, District Nashik (iii) Primary Health Center Ayurvedic Dispensary Sayyadpimpri, Tahsil Nashik, District Nashik (iv) Primary Health Center, Kananwadi, Tahsil Igatpuri, District Nashik, However all these 5 options were not considered by the Commissioner of Health Service Mumbai.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned Advocate for the Applicant contended that guidelines about giving choice posting to Government Servants who had worked in 'Tribal and Remote Areas' as per G.A.D. Circular dated 11.07.2000 & G.A.D. G.R. dated 06.08.2002 had been contravened by 'Commissioner of Health Services' Mumbai while issuing 'Transfer Order' dated 09.06.2023' of the Applicant to the post of 'Medical Officer, in 'Public Health Centre, Varkheda, Tahsil Dindori, District Nashik'.</p> <p>5. Learned Advocate for the Applicant thereupon stated that the Applicant had been granted 'Interim Relief' on 27.06.2023 and she was permitted to work as 'Medical Officer', in Health Sub Centre, Girname, Nandgaonsado, Taluka - Igatpuri, District Nashik' but subsequently Applicant came to be relieved on 04.09.2023. The Applicant has however not joined at new place of posting as 'Medical Officer' in 'Public Health Centre, Varkheda, Tahsil Dindori, District Nashik'.</p> <p>6. Learned P.O. states that the Applicant has been transferred from the post of 'Medical Officer in Health Sub Centre, Girname, Nandgaonsado, Taluka - Igatpuri, District Nashik' by following due procedure and as per guidelines of G.A.D. G.R. dated 09.04.2018. However, learned P.O. could not substantiate with plausible reasons as to why G.A.D. Circular dated 11.07.2000 & G.A.D. G.R. dated 06.08.2002 which relate to transfer of 'Government Servants' who had served in 'Tribal and Remote Areas' were not implemented by the Commissioner of Health Services Mumbai in the case of the Applicant, as she had given 5 options. Learned P.O. opposed grant of any 'Interim Relief' yet again to Applicant.</p> <p>7. The G.A.D. Circular dated 11.07.2000 & G.A.D. G.R. dated 06.08.2002 have been issued to motivate 'Government Servants' to serve in 'Tribal and Remote Areas' and thus is an important policy tenet of good 'Public Administration'. Hence, its implementation cannot be looked over as has been done in case of Applicant who has served in 'Tribal and Remote Areas' for almost 28 years. The Applicant as per G.A.D. Circular dated 11.07.2000 & G.A.D. G.R. dated 06.08.2002 had in fact sought to be transferred to some other posts of 'Medical Officer' in 'Tahsil - Igatpuri District Nashik' Applicant had not out rightly sought to be transferred to</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>only desirable posts of 'Medical Officers in 'Non-Tribal Areas' of 'Nashik District'. She after receiving Transfer Order on 09.06.2023 had also submitted representation to 'Commissioner of Health Services' on 16.06.2023 however no reply has yet been received by the Applicant.</p> <p>8. The Applicant infact by seeking to serve people living in 'Tribal office & Remote Areas' of 'Tahsil -- Igatpuri District Nashik' for almost 28' years has set high standards of 'Public Service'; as not many 'Government Servants' show such willingness as displayed by Applicant. She has certainly not sought any undue benefit of the guidelines in G.A.D. Circular dated 11.07.2000 & G.A.D. G.R. dated 06.08.2002. So it is only travesty of fairness that in exercise of 'Statutory Powers' by the 'Commissioner, Public Health, Mumbai' none of 5 options given by the Applicant were considered and she came to be transferred from 'Tahsil- Igatpuri, District Nashik' to another 'Tribal & Remote Areas' of 'Tahsil Dindori, District Nashik'. Therefore the 'Commissioner, Public Health, Mumbai' is directed to consider the representation submitted by Applicant on 16.06.2023 with an open mind and if they are any 'Vacant Posts' of 'Medical Officers' amongst 5 options given by Applicant; then appropriate decision be taken within 'Four Weeks' to transfer the Applicant to such post of 'Medical Officer' in modification of 'Transfer Order' dated 09.06.2023 by which she has been transferred to post of 'Medical Officer' in Public Health Centre, Varkheda, Tahsil Dindori, District Nashik'. Infact it will not be out of place to also observe that any other 'Medical Officers' who have never served in such 'Tribal & Remote Areas' should be considered for posting in place of Applicant in 'Public Health Centre, Varkheda, Tahsil Dindori, District Nashik'.</p> <p>9. S.O. to 16.01.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chandrarabarty) Member (A)</p> <p>NMN</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.12.2023</p> <p align="center">O.A. No.1590 of 2023</p> <p>Dr. S.R. DodeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. 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 states that he has been transferred 'Mid-Term' by Transfer Order dated 01.12.2023 of 'Public Health Department' from the post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' to the vacant post of 'Medical Superintendent, Rural Hospital, Manor, District Palghar'. The Applicant had been transferred on present post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' on 03.08.2019 on request as his Wife is also working as Medical Officer in 'Central Hospital, Ulhasnagar-3, District Thane'.</p> <p>3. Learned Advocate for Applicant then states that after Applicant had joined as 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane; he was shifted on account of 'COVID-19 Pandemic' by orders of then 'Deputy Director of Health Services Mumbai Division Thane' on two occasions on 19.08.2020 and 04.01.2021 but was shifted again on 15.03.2021 & 25.11.2021 for no plausible reasons by orders of then 'Deputy Director of Health Services Mumbai Division Thane'.</p> <p>4. Learned Advocate for Applicant thereupon states that the frequent shifting of Applicant by the then 'Deputy Director of Health Services Mumbai Division Thane' was enquired into after representation [P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>was submitted by Applicant to the 'Commissioner of Health Services Mumbai' who issued order on 28.06.2023 to revoke all earlier orders of the then 'Deputy Director of Health Services Mumbai Division Thane' and directed that Applicant be permitted to continue to work on his post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' The Applicant thereafter continued to work on the post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' till 'Transfer Order' dated 01.12.2023 was issued of 'Public Health Department' by which he has been posted as 'Medical Superintendent Rural Hospital, Manor, District Palghar'.</p> <p>5. Learned P.O. states that the transfer of the Applicant from the post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' to the post of 'Medical Superintendent, Rural Hospital, Manor, District Palghar' has been done with recommendation of C.S.B. and by invoking provisions of Section 4(4)(ii) and Section 4(5) of 'Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' The recommendation of C.S.B. was to transfer Applicant to post of 'Medical Superintendent, Rural Hospital, Manor, District Palghar' for 'Administrative Reasons' and accordingly approval was given by 'Competent Transferring Authority' and next 'Superior Transferring Authority'.</p> <p>6. The Transfer Order dated 01.12.2023 of Public Health Department of the Applicant is undoubtedly 'Mid Term'. The ground mentioned is 'Administrative Reasons'. The 'Commissioner of Health Services Mumbai' had passed Order on 28.06.2023 to revoke the frequent orders of shifting the Applicant passed by then 'Deputy Director of Health Services Mumbai Division Thane' and permitted the Applicant to continue to work as 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane'. The 'Commissioner of Health Services Mumbai order dated 28.06.2023' had been endorsed for information to 'Additional Chief Secretary, Public Health Department'. Therefore before accepting the recommendations of C.S.B., it was expected that considering the background of frequent shifting of the Applicant by then 'Deputy Director of</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>Health Services Mumbai Division Thane' 'Additional Chief Secretary, Public Health Department' should have obtained factual report from Commissioner of Health Services Mumbai about the overall performance of Applicant relating to his work as 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' instead of taking an unilateral decision to propose transfer of Applicant to the 'Vacant Post' of 'Medical Superintendent, Rural Hospital, Manor, District Palghar'.</p> <p>7. The Applicant it appears was under the impression that his tenure on the post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' which he had held 'off and on' since 03.08.2019 was getting over and he would be due for 'General Transfer: 2023'. Hence the Applicant had also filled up 'Online Form' during April 2023 indicating 5 options for 'General Transfers: 2023'. However, learned P.O. on instruction from the officer on behalf of 'Public Health Department' states that 'General Transfer: 2023' were not done for officers above the 'Pay Scale: S-20'. Therefore in respect of 'Medical Superintendents / Civil Surgeons / Specialists' no 'General Transfer: 2023' were effected by 'Public Health Department'.</p> <p>8. The Public Health Department thus had taken conscious decision not to undertake General Transfers 2023 of 'Medical Superintendents / Civil Surgeons / Specialists' Against this backdrop the Transfer Order dated 01.12.2023 of Public Health Department issued by invoking powers under 'Section 4(4)(ii) and Section 4(5) Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005' which requires 'Special Reasons' as 'Exceptional Circumstances' to be recorded; cannot certainly be the one that means that no 'General Transfer: 2023' had been effected for 'Medical</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Superintendents/Civil Surgeons/Specialist'. Also <i>prima-facie</i> it appears that 'Statutory Powers' has been exercised only in respect of the Applicant & hence suffers from vice of being both 'Arbitrary' & 'Colourful'. Further there is evidence from 'File Notings' that external influences have resulted in the Applicant being transferred out from post 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane'. Therefore as 'Balance of Convenience' at this stage lies in favour of Applicant hence by way of 'Interim Relief'; Applicant is permitted to continue on this post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane'.</p> <p>9. The Applicant himself had consented to be transferred from post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' during 'General Transfer: 2023' and submitted 5 Option for posts of 'Medical Superintendents'. The 'Additional Chief Public Health Department' is thus directed to consider the 5 options already submitted by Applicant at time to General Transfer 2023 and review within Four Weeks the Transfer Order dated 01.12.2023 by which Applicant has now been transferred to vacant post of 'Medical Superintendent, Rural Hospital, Manor, District Palghar'. The 'Interim Relief' allowing the Applicant to continue on his earlier post of 'Medical Superintendent, Sub District Hospital, Ambarnath, District Thane' to be in effect for 'Four Weeks'.</p> <p>10. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>11. Issue notice before admission returnable on 22.01.2024.</p> <p>12. 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>13. 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>

**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>14. 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>15. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>16. S.O. to 22.01.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</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 : 19.12.2023</p> <p align="center">O.A.No.1587 of 2023</p> <p>S. R. ChouguleApplicant Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S.B. Patil with Shri A. V. Sakholkar, learned Advocates for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that none of the Respondents have been served with the copy of this O.A.No.1587 of 2023 and seeks time of Four Weeks'.</p> <p>3. Learned Advocate for the Applicant states that by Transfer Order of Public Health Department dated 29.08.2023, the Applicant is transferred from Sub District Hospital, Kankavali to Indira Gandhi General Hospital, Ichalkaranji, District Kolhapur. However, the Medical Superintendent, Sub District Hospital, Kankavali, District Sindhudurg is not relieving him from the present post and therefore, the Applicant is seeking directions to Medical Superintendent, Sub District Hospital, Kankavali, District Sindhudurg to relieve him based on the order of Deputy Director, Health Services, Kolhapur Region, Kolhapur dated 01.09.2023.</p> <p>4. The Deputy Director, Health Services, Kolhapur Region, Kolhapur issued order on 01.09.2009 to relieve the Applicant from the post of Medical Officer, Sub District, Kankavali to enable him to join at Indira Gandhi General Hospital, Ichalkaranji, District Kolhapur.</p>

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

5. The 'Additional Chief Secretary' Public Health Department is informed to take immediate steps to post 'Medical Officer' in place of the Applicant. Further, in case other 'Medical Officer' is not posted in place of the Applicant within next Four Weeks then the Medical Superintendent, Sub District Hospital, Kankavali, District Sindhudurg shall relieve the Applicant to join his new post at Indira Gandhi General Hospital, Ichalkaranji, District Kolhapur as per 'Transfer Order' dated 29.08.2023 of the Public Health Department; if necessary, by making alternative arrangements to handover 'Additional Charge' to any other 'Medical Officer'.

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

7. Issue notice before admission returnable on 23.01.2024.

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

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

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

11. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.

12. S.O. to 23.01.2024.

Sd/-
(Debashish Chakrabarty)
Member(A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.12.2023</p> <p>O.A. No.853 of 2023 with O.A. No.854 of 2023</p> <p>Dr. V.S. Patil Dr. V.A. WaghApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. has filed 'Short Affidavit-in-Reply' as per 'Court Order dated 01.12.2023' on behalf of the Respondent. It is taken on record.</p> <p>3. S.O. to 22.12.2023.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</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 : 19.12.2023</p> <p align="center">O.A.No.1548 of 2023 (DB)</p> <p>M. A. AmbadekarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A. V. Bandiwadekar, learned Advocate for the Applicant and Ms S. P. Manchekar, learned Chief Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant states that Applicant apprehends that she will be terminated from service on account of not passing Departmental Examination in 3 attempts in 2017, 2019 and 2023. 3. Learned Advocate then states that Applicant has submitted representation on 18.12.2023 to Secretary, Social Justice and Special Assistance Department, Mumbai seeking exemption from passing Departmental Examination on the ground of having attained the age of 48 Years. Therefore, the Secretary, Social Justice and Special Assistance Department is directed to consider representation submitted by Applicant on 18.12.2023 in accordance of provisions of 'Rule 5(4)' of 'The "Departmental Examination' for being continued the Appointments in the Cadre Posts and/or for Promotion to the Higher Posts in the Department of Social Welfare Rules, 1975.' Thereupon, if the Applicant is not granted exemption from passing Departmental Examination, then it is further directed that no consequent adverse action be taken against her for period of two weeks. 4. The office objection, if any, are to be removed and court fees to be paid, if not already paid.

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

10/02/2024

5. Issue notice before admission returnable on 06.02.2024.
6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.
7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.
8. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.
9. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original/ ~~Miscellaneous~~ Application shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / ~~Miscellaneous~~ Application shall stand dismissed.
10. S.O. to 06.02.2024.

Sd/-

(Debashish Chakrabarty)
Member(A)

vsm


**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.741 of 2023 (DB)</u></p> <p>Dr. V.P. Wahane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 30.1.2024 for final hearing.</p> <p style="text-align: right;">  (Medha Gadgil) Member (A) 19.12.2023 </p> <p>(sgj)</p>

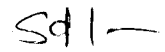
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.89 of 2023 (DB)</u></p> <p>S.P. Kolte ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for Respondents No.1 & 2.</p> <p>2. Learned Advocates for Applicant and Respondent No.3 are not present.</p> <p>3. I.d. PO submits that sur-rejoinder will be filed during the course of the day.</p> <p>4. Admit.</p> <p>5. S.O. to 16.1.2024 for final hearing. Interim relief to continue.</p> <p style="text-align: right;">  (Medha Gadgil) Member (A) 19.12.2023 </p> <p>(sgj)</p>

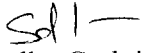
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20__

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.595 of 2023 in O.A. No.385 of 2022 (DB)</u></p> <p>C.B. Talwar & 5 Ors. ..Interveners And S.K. Hankare & 9 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Interveners, Smt. Punam Mahajan, Ld. Advocate for the applicants (through Video Conferencing) and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 10.1.2024. Interim relief, if any, to continue.</p> <p align="right">  (Medha Gadgil) Member (A) 19.12.2023 </p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

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

Date: 19.12.2023

O.A. No.853 of 2023 with O.A. No.854 of 2023

Dr. V.S. Patil

Dr. V.A. Wagh

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

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

2. Learned P.O. states that he will file 'Affidavit-in-Reply' during the course of the day. Statement is accepted.

3. S.O. to 20.12.2023.

sd/-

(Debashish Chakrabarty)
Member (A)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 19.12.2023</p> <p align="center">O.A. No.1469 of 2023</p> <p>B.H. Kundale,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.S. Jadhav, learned Advocate holding for Shri S.A. Daga, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. seeks 'Three Weeks' time to file 'Affidavit-in-Reply' on behalf of the Respondent. Time as prayed is granted to learned P.O.</p> <p>3. S.O. to 08.01.2024.</p> <p align="right">sd/- (Debashish Chakrabarty) Member (A)</p> <p>NMN</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.1174 of 2022</u></p> <p>A.Y. Jagtap ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. S.O. to 4.1.2024 for final hearing. Interim relief to continue.</p> <p align="right">sd/-  (Medha Gadgil) Member (A) 19.12.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1498 of 2023</u></p> <p>S.C. Pujari ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.B. Kadam, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO on instructions submits that DE is pending against the applicant and applicant is being given provisional pension.</p> <p>3. Ld. Advocate for the applicant submits that there is no DE pending against the applicant and no charge sheet is filed against the applicant.</p> <p>4. S.O. to 12.1.2024.</p> <p align="right">sd/- (Medhā Gadgil) Member (A) 19.12.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1459 of 2023</u></p> <p>A.A. Bhatia ..Applicant Vs. The State of Maharashtra & 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 seeks two weeks time to file reply of the respondents.</p> <p>3. Ld. Advocate for the applicant prays for interim relief.</p> <p>4. S.O. to 4.1.2024.</p> <p align="right">sd/- (Medha Gadgil) Member (A) 19.12.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1090, 1091 & 1092 of 2023</u></p> <p>P.D. Katkar S.S. Shetye M.R. Ahire Vs. The State of Maharashtra & Ors.</p> <p align="right">..Applicants ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. Applicants and their advocate both are absent.</p> <p>2. Ld. PO submits that reply is already filed.</p> <p>3. Admit.</p> <p>4. S.O. to 23.1.2024 for final hearing with liberty to file rejoinder, if any.</p> <p align="right">sd/- (Medha Gadgil) Member (A) 19.12.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.978 of 2023</u></p> <p>S.S. Pardule ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. Applicant and his Advocate both the absent.</p> <p>2. Ld. Advocate for the Applicant is directed to serve copy of OA in the office of Ld. CPO, failing which OA will be dismissed.</p> <p>3. S.O. to 15.1.2024.</p> <p align="right">sd/- (Medha Gadgil) Member (A) 19.12.2023</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A. No.781 of 2023 in O.A. No.989 of 2023</u></p> <p>The State of Maharashtra & Ors. ..Applicants Vs. Smt. Vinaya D. Badami & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Applicants-original Respondents and Shri S.D. Patil, learned Advocate for the Respondent-Original Applicant.</p> <p>2. The State has filed this MA for extension of time to implement the order dated 21.11.2023 passed in the above OA. Ld. PO submits that review committee meeting was fixed on 7.12.2023. However, due to ongoing Session of Legislative Assembly, they were unable to take decision in the matter.</p> <p>3. Ld. Advocate for the original applicant opposes the same on the ground that respondent State has not given any valid reason for seeking extension of time.</p> <p>4. However, in view of the submissions made by Ld. PO and in view of the ongoing Session of Legislative Assembly, two weeks time is given from today to implement the order. MA disposed off accordingly.</p> <p style="text-align: right;">sd/- (Medha Gadgil) Member (A) 19.12.2023</p> <p>(sgj)</p>

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

Tribunal's orders

RA.14/2023 in OA.43/2013

The State of Maharashtra & Ors. ..Applicants
Vs.
S.B. Mosamkar ..Respondent

Heard Smt. K.S. Gaikwad, learned Presenting Officer for the Applicants-original Respondents. None for the Respondent-Original Applicant.

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 12.1.2024. The respondents are directed to file reply.

4. 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 R.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the RA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the RA shall stand dismissed.

sd/-

Medha Gadgil
(Medha Gadgil)
Member (A)

19.12.2023

(sgj)

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.1570 of 2023</u></p> <p>D.V. Kendre ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. Applicant and Advocate are not present.</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 16.1.2024. The respondents are directed to file reply.</p> <p>4. 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. 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. 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>7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed.</p> <p style="text-align: right;">sd/- (Medha Gadgi) Member (A) 19.12.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A. No.1566 of 2023</u></p> <p>Dr. S.W. Kamble ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.J. Chougule, learned Presenting Officer for the Respondents. Applicant and Advocate are not present.</p> <ol style="list-style-type: none"> 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 2.1.2024. The respondents are directed to file reply. 4. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing. 5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open. 6. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice. 7. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the OA shall be placed on board before the concerned Bench under the caption "For Dismissal" and thereafter on the subsequent date the OA shall stand dismissed. <p style="text-align: right;">sd/- (Medha/Gadgil) Member (A) 19.12.2023</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.1561 of 2023

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

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

2. 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 16.1.2024. The respondents are directed to file reply.

4. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

sd/-

(Medha Gadgil)
Member (A)

19.12.2023

(sgj)

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

Tribunal's orders

O.A. No.1559 of 2023

P.P. Kandalgaonkar ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

2. 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 16.1.2024. The respondents are directed to file reply.

4. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

sd/-

(Medha Gadgil)
Member (A)

19.12.2023

(sgj)

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

Tribunal's orders

O.A. No.1558 of 2023

V.A. David

..Applicant

Vs.

The State of Maharashtra & Ors.

..Respondents

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

2. 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 16.1.2024. The respondents are directed to file reply.

4. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

sd/-

(Medha Gadgil)

Member (A)

19.12.2023

(sgj)

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

Tribunal's orders

O.A. No.1537 of 2023

C.N. Ghadage ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri D.K. Chavan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

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

3. Issue notice before admission returnable on 16.1.2024. The respondents are directed to file reply.

4. 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. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.

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

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

7. In case notice is not collected within **seven days** or service report on affidavit is not filed **three days** before returnable date, the OA shall be placed on board before the concerned Bench under the caption "**For Dismissal**" and thereafter on the subsequent date the OA shall stand dismissed.

sd/-

(Medha Gadgil)
Member (A)
19.12.2023

(sg)