

**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: 20.01.2022</p> <p align="center">O.A. No.866 of 2021</p> <p>S.M. BadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The Tribunal today condoned the delay by passing order in M.A. No.527 of 2021 and O.A. now deserves to be decided on its own merit. 3. Issue notice before admission returnable on 15.02.2022. 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.

Index Name, Office Memoranda of Court,
Appeals, Tribunal's orders or
Directors and Registrar's orders

Tribunal's orders

8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. S.O. to 15.02.2022.

Sd/-
(A.P. Kurhekar)
Member (J)

NMN

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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of 20

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.01.2022</p> <p align="center">M.A. No.527 of 2021 in O.A. No.866 of 2021</p> <p>S.M. BadeApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This application is for Condonation of delay of 3 years 2 months 15 days <i>inter-alia</i> on the ground that the Applicant initially availed remedy of revision in bonafide belief, and therefore said period is to be excluded from the period of limitation.</p> <p>3. In O.A. the Applicant has challenged order of punishment confirmed in appeal on 11.08.2017 whereby punishment of withholding of two increments with out cumulative effect ^{has} been upheld. The Applicant has preferred revision against the said order before Respondent No.1. However, after 3 years by order dated 05.01.2021 he was informed that revision was filed after limitation of 6 months and on that ground only, revision was dismissed. As such, the Applicant has counted period of limitation from 05.01.2021 whereby revision was dismissed on the ground of limitation.</p> <p>4. Indeed, as fairly conceded by learned Advocate for the Applicant revision itself was not maintainable since order was appealable and remedy of appeal was already availed. As per Rule 25(3) of MCS (Discipline & Appeal) Rules, 1979, revision lies where no appeal is provided or where as appeal is provided but the appeal is not filed. Whereas, in present case in bonafide belief the Applicant preferred revision which was kept</p> <p align="right">[P.T.O.]</p>

Tribunal's orders

pending for 3 years is the matter of record. Initially, the Respondent No.1 has taken cognizance of revision and called for certain documents. However, later by order dated 05.01.2021 it was informed to the Applicant that revision was not filed within limitation.

5. As a matter of fact, in law revision itself was not maintainable as seen from Rule 25(3) of MCS (Discipline & Appeal) Rules, 1979.

6. Be that at it may, since the Applicant has availed remedy of revision in bonafide impression the period spent before revision was required to be ~~executed~~ ^{excluded} under Rule 14 of Limitation Act. h

7. In view of above, delay needs to be condoned so as to decide the O.A. on merit.

8. In view of apposite discussion, M.A. is 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 _____

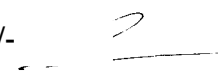
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>20.01.2022</u></p> <p><u>O.A Nos 204, 205, 429, 642, 693, 674, 675, 754, 755, 767 & 798/2021</u></p> <p style="text-align: center;"><u>SPEAKING TO THE MINUTES</u></p> <p>B.B Nimgire & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. In O.A 204/2021 (Mr Bhanudas Bapu Nimgire) the Respondent no. 3 on page no. 1 is incorrectly mentioned as"</p> <p style="padding-left: 40px;">"3. The Joint Director, Account and Treasuries, Nasik Division, Nasik, 2nd floor, Lekhakosh Bhavan, Collector Office, Compound, Nasik, Dist-Nasik."</p> <p style="padding-left: 40px;">The same should be substituted as under:-</p> <p style="padding-left: 40px;">"3. The Joint Director, Accounts and Treasury, Konkan Division, Konkan Bhavan, Room No. 506, 5th floor, CBD Belapur, Navi Mumbai 400 614."</p> <p>4. In O.A 674/2014 (Mr Laxmikant M. Ragji & Ors) the Respondent no. 3 on page 5 is incorrectly mentioned as:-</p> <p style="padding-left: 40px;">"3. The Joint Director, Account and Treasuries, Nasik Division, Nasik, 2nd floor, Lekhakosh Bhavan, Collector Office, Compound, Nasik, Dist-Nasik."</p> <p style="padding-left: 40px;">The same should be substituted as:-</p> <p style="padding-left: 40px;">"3. The Joint Director, Accounts and Treasury, Konkan Division, Konkan Bhavan, Room No. 506, 5th floor, CBD Belapur, Navi Mumbai 400 614."</p> <p>5. In O.A 754 of 2921 (Smt Snehal M. Nigave) the Respondents on page 6 & 7 are incorrectly mentioned as:-</p> <p style="padding-left: 40px;">"1. The State of Maharashtra, Through its Principal Secretary, Finance Department, Mantralaya, Mumbai-32.</p> <p style="padding-left: 40px;">2. The Director,</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>The Directorate of Accounts and Treasuries, Thakarsi House, Mumbai Port Trust Port, 3rd floor, J.N Herediya Marg, Maharashtra State, Mumbai 400 001.</p> <p>3. The Joint Director, Local Fund Audit, Local Fund Audit, Pune Division, Pune. Lekha Kosh Bhavan, 3rd floor, Collector Office Campus, Pune 411 001.”</p> <p>The same should be substituted as:-</p> <p>“1. State of Maharashtra, Through Additional Chief Secretary, General Administration Department, Mantralaya, Mumbai 400 032.</p> <p>2. Principal Secretary, Finance Department, [Accounts and Treasury], Mantralaya, Mumbai 400 032.</p> <p>3. The Director, The Directorate of Accounts and Treasuries, Thakarsi House, Mumbai Port Trust Port, 3rd floor, J.N Herediya Marg, Maharashtra State, Mumbai 400 001.</p> <p>4. The Joint Director, Local Fund Audit, Local Fund Audit, Pune Division, Pune. Lekha Kosh Bhavan, 3rd floor, Collector Office Campus, Pune 411 001.”</p> <p>6. In O.A 798/2021 (Smt Minal Suresh Giri). The Respondent No. 4 on page 8 is incorrectly mentioned as:-</p> <p>“4. The Joint Director, Local Fund Audit, Local Fund Audit, Pune Division, Pune. Lekha Kosh Bhavan, 3rd floor, Collector Office Campus, Pune 411 001.”</p> <p>The same should be substituted as:-</p> <p>“4. The Joint Director, Accounts and Treasury, Konkan Division, Konkan Bhavan, Room No. 506, 5th floor, CBD Belapur, Navi Mumbai 400 614.”</p> <p>7. In O.A 755/2021, on page 6 the name of the applicant is mentioned as “Smt Shital Datatrau Dhumal”, whereas it should be “Shital Dattatray Dhumal”.</p> <p>8. Learned C.P.O submits to the order of the Court.</p> <p>9. Hence ordered accordingly.</p> <p style="text-align: right;">/ Sd/- </p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
ORIGINAL APPLICATION NO 843 OF 2021**

DISTRICT : THANE

Smt S.S Chavan & Ors)...**Applicants**

Versus

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

Shri V.S Talkute, i/b Shri S.R Ghanvat, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : Justice Mridula Bhatkar (Chairperson)

DATE : 20.01.2022

ORDER

1. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent
2. Learned counsel for the applicants seeks interim relief by directing the Respondents to refrain from promoting the candidates as against the vacant posts of the S.D.O cadre.
3. Learned counsel for the applicants seek permission to amend the chart at page 11 of the Original Application, where the figures showing the number of the posts 40%, 25%, 25% and 10%

are to be corrected. Permission granted. Amendment to be carried out forthwith.

4. In this Original Application, the applicants who are working as S.D.Os seek their promotion in 10% quota to the post of Executive Engineer. Learned counsel for the applicants submits that the post of Executive Engineer are filled up by observing quota as follows:-

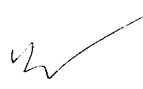
10% from S.D.O, 25% from S.D.E, 25% from A.E-I and 40% from A.E.E.

Learned counsel for the applicants submits that as on today there are 351 posts of Executive Engineer in P.W.D available and out of which 31 posts of the quota of S.D.O are vacant. Only four posts are filled in. Learned counsel for the applicants submit that the Respondents are bound to fill up these posts of Executive Engineer from all the four feeder cadres by adhering to the quota, which is made available as per the G.R dated 19.12.1970. The Recruitment Rules dated 7.4.1983 are going to be revised and the Government is going to frame the new Recruitment Rules and as per the instructions and information received by the applicants in the new rules the eligibility criteria of 10 years continuous service for S.D.Os is going to be reduced to 3 years. Learned counsel for the applicants drew my attention to para 6 of the Original Application, wherein the Chart giving details of the date of appointment as Junior Engineer, date of promotion as S.D.O and date of Retirement of all the applicants.

5. Learned counsel for the applicants submits that all the applicants who are promoted to the post of S.D.O in the years 2013, 2014, 2015 and 2020 will be eligible as per the new rules for promotion to the post of Executive Engineer. The quota of 10%

which is available to S.D.O for promotion to the post of Executive Engineer as per the G.R dated 19.12.1970 should not be breached and it should be available. The Respondents be directed to keep those 31 posts vacant available to the present applicants as and when they will be complete the eligibility criterion. Learned counsel for the applicants has submitted that the rules in respect of ad hoc promotion came into effect on 21.6.2021 and even for general seniority it will not be applicable.

6. Learned C.P.O files affidavit in reply. Learned C.P.O has adopted the same affidavit in reply for interim relief purpose. Learned C.P.O relied on Rule 4(2)(iii) of the Recruitment Rules dated 7.4.1983, on the eligibility of the feeder cadre of Executive Engineer so far as S.D.Os is concerned. It is necessary for them to complete not less than 10 years continuous service in the feeder cadre. None of the applicants have completed 10 years of continuous service on the regular post of S.D.O. The dates which are mentioned in the Chart in para 6 of the Original Application are the dates of ad hoc promotion to the cadre of S.D.O. Out of the present 13 applicants, applicants 6 to 13 were regularized as S.D.O by order dated 3.12.2021. She submits that details of the applicants at Serial No. 1 to 5 are not available. The new Recruitment Rules are not yet finalized. Therefore, the Respondents have planned to give ad hoc promotions to the post of Executive Engineers from the other cadres by shifting and utilizing the quota of S.D.O. She further submits that as and when the applicants became eligible, their cases can be considered for promotion to the post of Executive Engineer as per the existing Recruitment Rules.

 7. Considered the submission of learned counsel for the applicants and learned C.P.O for the Respondents. The new

Recruitment Rules are not yet finalized. So we have to rely on the existing Recruitment Rules dated 7.4.1983 and as per Rule 4(2)(iii) the S.D.O, which is one of the feeder cadre for promotion to the post of Executive Engineer is required to complete 10 years continuous service in the said capacity as S.D.O. The Chart in para 6 of the Original Application discloses that none of the applicants have completed 10 years continuous service in the cadre of S.D.O and hence not eligible as per the existing Recruitment Rules.

8. Learned counsel for the applicants submitted that in para 10 of the affidavit in reply the Respondents have stated that the Committee is formed and vide G.R dated 21.6.2019 has submitted the report to the Government for finalization of the new Recruitment Rules. In view of these submissions, it is expected that the task of finalizing the revised Recruitment Rules will be expedited.

9. Under such circumstances, I hold that no case is made out to grant interim relief. The same is rejected.

10. Admit. Place for final hearing on 7.2.2022.

Sd/-

(Mridula Bhatkar, J.)
Chairperson

Place : Mumbai
Date : 20.01.2022
Dictation taken by : A.K. Nair.

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p align="center"><u>O.A.No.651/2021</u></p> <p>Dr. S.S. Shintre ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for Applicant through Video Conference and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents. 2. Learned Advocate for the Applicant requested to adjourn the matter for physical hearing. 3. Interim relief granted by the Tribunal is continued till the decision of O.A. 4. O.A. be kept for hearing at the stage of admission. 5. S.O. to 8th February, 2022. <p align="right">Sd/- (A.P. Kurhekar) Member-J 20.01.2022</p> <p>(skw)</p>

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	<p align="center"><u>R.A.13/2021 in O.A.No.368/2021</u></p> <p>Shri S.S. Medsikar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant through Video Conference and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. The learned Advocate for the Applicant seeks permission to withdraw R.A. in view of instructions from client by letter dated 28th December, 2021.</p> <p>3. Allowed to withdraw RA and disposed of with no order as to costs.</p> <p align="right">Sd/- (A.P. Kurhekar) Member-J 20.01.2022</p> <p>(skw)</p>

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M.A.24/2022 in O.A.No.42/2022

Shri A.B. Handal & Ors. ... Applicants
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.S. Dere, learned Advocate for Applicants and Smt. K.s. Gaikwad, learned P.O. for Respondents.

2. This MA has been filed to sue jointly. As all the Applicants are seeking similar relief, the MA to sue jointly is allowed, subject to payment of Court Fees, if not already paid.

Sd/-

(A.P. Kurhekar)
Member-J
20.01.2022

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.A.No.825/2021

Shri G.S. Karanje ... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant through Video Conference and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.

2. On request of learned P.O, one week time is granted to file Affidavit-in-reply.

3. Interim relief to continue till filing of reply.

4. S.O. to 27th January, 2022.

Sd/-

(A.P. Kurhekar)
Member-J
20.01.2022

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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O.A.No.766/2021

Shri S.A. Anantkawalas ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant through Video Conference and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.
2. On request of learned Advocate for the Applicant, adjourned for physical hearing at the state of admission.
3. S.O. to 8th February, 2022.

Sd/-

✓
(A.P. Kurhekar)
Member-J
20.01.2022

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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O.A.No.654/2021

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

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant through Video Conference and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.
2. The learned Advocate for the Applicant requested to adjourn the matter for physical hearing.
3. Interim relief to continue till the decision of O.A.
4. O.A. be kept for hearing at the stage of admission.
5. S.O. to 8th February, 2022.

Sd/-

(A.P. Kurhekar)
Member-J
20.01.2022

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p style="text-align: center;"><u>M.A.13/2022 in O.A.No.724/2020</u></p> <p style="text-align: center;">The Commissioner of Police & Ors. ... Applicant (Ori. Respondents)</p> <p style="text-align: center;">Vs.</p> <p style="text-align: center;">Mrs. M.B. Jadhav ... Respondent (Ori. Applicant)</p> <p>1. Heard Smt. K.s. Gaikwad, learned P.O. for Applicants (Ori. Respondents) and Shri A.V. Bandiwadekar, learned Advocate for Respondent (Ori. Applicant).</p> <p>2. O.A.724/2020 was disposed of by this Tribunal on 21.12.2021, since original Respondent No.1 – Director General of Police by order dated 17.12.2021 accepted Applicant's request for transfer from Mumbai to Pune. She has completed near about 5 and half years in the present post of PSI, Mumbai and claimed transfer to Pune on the ground that her husband is staying in Pune.</p> <p>3. O.A. was filed on 01.12.2020 for transfer to Pune.</p> <p>4. It is on the above background, when matter was taken up for hearing on 21.12.2021, the learned P.O. has tendered transfer order dated 17.12.2021 issued by Director General of Police accepting Applicant's request for transfer from Mumbai to Pune amongst other Police Personnel. Accordingly, O.A. was disposed of with direction to the Respondents to ensure that the Applicant is relieved within two weeks to enable her to join the place where she is transferred.</p> <p>5. Now this M.A. is filed by Commissioner of Police, Mumbai to recall the order dated 21.12.2021 solely on the ground that his Office was not consulted by the Office of D.G. and necessity of manpower in Mumbai.</p> <p>6. Indeed, the competent authority for transfer is Director General of Police who in terms of decision passed by PEB has taken conscious decision to transfer the Applicant amongst other Police Personnel. Once competent authority i.e. Director General of Police who is above the Commissioner of Police has passed the order, the Commissioner of Police, Mumbai was indeed bound to follow the same, but instead of following the same, he seems questioning the order passed by Director General of Police. Needless to mention, this is not a forum to seek grievance about non-coordination between Commissioner of Police and Director General of Police. If such condition is accepted, the order passed by Director General of Police would render meaningless.</p>

Office Notes, Office Memoranda of Coram,
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7. As such, once order passed by Director General of Police in terms of decision of PEB is in force, it will have to be implemented by its subordinate.

8. I, therefore, see no substance in this M.A. and accordingly dismissed.

Sd/-

(A.P. Kurhekar)
Member-J
20.01.2022

(skw)

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	<p>Date : 20.01.2022</p> <p align="center">O.A.No.22 of 2022</p> <p>V. R. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra ...Respondent.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondent. 2. The Applicant stands retired on 31.01.2015 as Deputy Commissioner Education, Nashik but till date his retiral benefits were not paid due to pendency of two Departmental Enquiries (D.Es) 3. As per the contention of learned Counsel for the Applicant, the Enquiry Officer has already submitted report but his client is not served with Enquiry Officer's report or show cause notice. 4. It is really disgusting that though the D.E. was initiated much before retirement as well as when Applicant was on the verge of retirement till date D.Es are not finalised which clearly spells laxity and negligence on the part of Respondents. The Applicant stands retired on 31.01.2015 and he is deprived of his retiral benefits for more than seven years. 5. This matter was taken up for admission on 13.01.2022 and that time learned P.O. was directed to take instructions from the Respondent and to apprise the Tribunal about the status of D.E. <p align="right">[P.T.O.]</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Shri Kisanrao Palande, Under Secretary is present and states that in one inquiry, Enquiry Officer has submitted report on 03.02.2020. He further stated that it was served upon the Applicant to which Applicant gave reply on 09.07.2021 and since then it is not processed by the department. He further states that in second inquiry, the Enquiry Officer submitted report on 22.04.2016. According to him, in the said report the Departmental Enquiry Officer held the Applicant guilty for some of the charges. However, in respect of co-delinquent, he recorded negative findings. He further states that it was further decided to initiate the D.E. afresh and since then matter is struck up.</p> <p>7. Thus, the facts stated aforesaid clearly spells laxity, huge inordinate delay in finalizing D.Es.</p> <p>8. Indeed, in terms of Circular dated 07.04.2008, D.E. was required to be completed within six months or maximum within the period of one year and where it is not completed within a year, extension is required to be sought from the competent authority.</p> <p>9. The aforesaid lapses are required to be noted seriously and this O.A. deserves to be disposed of expeditiously since the Applicant is deprived of retirement benefits of last seven years.</p> <p>10. Three days time is granted to learned P.O. to file reply explaining the delay caused in the matter and further to apprise the Tribunal about exact status of these two D.Es.</p> <p>11. Here it would not be out of place to mention that inordinate and huge delay on the part of Government in the matter of completion of D.E. is noticed by this Tribunal in so many cases and despite the directions, there is no improvement in the situation.</p> <p>12. S.O. to 24.01.2022.</p> <p style="text-align: right;">Sd/- v (A.P. Kurhekar) Member(J)</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: 20.01.2022</p> <p align="center">O.A. No.1071 of 2021</p> <p>S.P. ParsekarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri B.V. Magam, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant has challenged order dated 19.10.2021 whereby recovery of Rs.2,72,532/- (Two Lakhs Seventy Two Thousand Five Hundred and Thirty Two Only) is sought on account of payment of amount towards 2 advance increments.</p> <p>3. The perusal of order reveals that payment towards benefit of 2 advance increments was granted by order dated 01.10.2008. Whereas, as per the 6th Pay Commissioner which is made applicable from 01.01.2006, the said scheme of advance increments has been taken away. Thus, it appears that Respondents mistakenly at their own granted the benefits of advance increments which is now sought to be recovered.</p> <p>4. The Applicant is retiring on 31.01.2022 as Group 'C' employee, as such prima-facie situation is covered by the Judgment of Hon'ble Supreme Court in (2015) 4 SCC 334 (State of Punjab and others Vs. Rafiq Masih (White Washer)).</p> <p>5. Hence interim relief in terms of prayer Clause 10(a) is granted.</p> <p>6. Issue notice before admission returnable on 15.02.2022.</p> <p align="right">[P.T.O.]</p>

Tribunal's orders

7. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.
8. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of Original Application. 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. 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 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.
12. S.O. to 15.02.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

**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>C.A. No.45 of 2019 in O.A. No.651 of 2018</u></p> <p>R.V. Somane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate both are absent. Heard Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Ld. CPO submits that MPSC has challenged order of Tribunal in the Hon'ble High Court in Writ Petition No.9845 of 2019. Ld. CPO produces communication from B.P. Mali, Under Secretary, MPSC, which he has received from Special Counsel in W.P. No.9845 of 2019 informing that interim relief has been granted on 14.1.2020 and status of the writ petition which is still pending. Now the matter is to be circulated.</p> <p>4. S.O. to 8.6.2022.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 20.1.2022</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>CA.23/2021 in RA.21/2019 in OA.238/2016</u></p> <p>M.A. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Ld. Advocate for the applicant submits that by order dated 9.9.2021 the Hon'ble High Court dismissed W.P. No.3118 of 2021 filed by the State. The State is going to challenge the order of Hon'ble High Court in Hon'ble Supreme Court of India and the matter is pending for approval of draft SLP.</p> <p>4. S.O. to 3.3.2022.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 20.1.2022</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 align="center"><u>M.A. No.569 of 2019 in O.A. No.925 of 2017</u></p> <p>D.K. Gunjal ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Ms. Neha Bhide holding for Shri C.T. Chandratre, learned Advocate for the Applicant, Ms. S.P. Manchekar, learned Presenting Officer for Respondents-State, Shri M.D. Lonkar, learned Advocate for Respondents No.8 to 10, 16, 52 & 84(A) and Ms. Suchita J. Pawar, learned Advocate for Respondents No.18, 20, 35, 37, 43, 44, 47 & 51.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Ld. Advocates for the respondents seeks time to file reply.</p> <p>4. S.O. to 3.3.2022 by way of last chance.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 20.1.2022</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.465 of 2021 in O.A. No.214 of 2020</u></p> <p>S.K. Khomane ..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. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Ld. CPO on instructions from Shri Sharad M. Doke, Section Officer, Revenue Department submits that department has received necessary information which is required to hold DPC yesterday and department will conduct DPC within one week.</p> <p>4. In view of the above, matter is adjourned to 27.1.2022.</p> <p align="right">Sd/- _____ (Mridula Bhatkar, J.) Chairperson 20.1.2022</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.961 of 2019</u></p> <p>R.P. Adisare ..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. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Reply and rejoinder are filed.</p> <p>4. Admit.</p> <p>5. S.O. to 15.3.2021 for final hearing.</p> <p align="right">Sd/- <i>Mridula Bhatkar</i> (Mridula Bhatkar, J.) Chairperson 20.1.2022</p> <p>(sgj)</p>

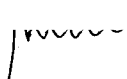
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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.311 of 2021</u></p> <p>M.D. Bandgar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Applicant and Advocate both are absent. Heard, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Reply is filed.</p> <p>4. Admit.</p> <p>5. S.O. to 16.3.2021 for final hearing.</p> <p align="right">Sd/-  (Mridula Bhatkar, J.) Chairperson 20.1.2022</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.319 of 2021</u></p> <p>D.L. Chavan ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri R.L. Kulkarni, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Reply is filed.</p> <p>4. Admit.</p> <p>5. S.O. to 14.3.2021 for final hearing.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 20.1.2022</p> <p>(sgl)</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><u>20.01.2022</u></p> <p align="center"><u>O.A 670/2021 with M.A 392/2021</u></p> <p>Dr A.S Chandanwale ... Applicant And Dr S.D Nandankar ... Intervenor/Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Madhvi Ayyappan i/b Talekar & Associates, learned advocate for the applicant, Shri B.A Bandiwadekar, learned counsel for the Intervenor/Applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O to 27.1.2022.</p> <p 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><u>20.01.2022</u></p> <p align="center"><u>O.A 34/2022</u></p> <p>Shri K.A Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.A Shinde, applicant in person and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Applicant states that he has resigned from the post on 19.5.2019 and till date his resignation has not been accepted by the Respondents and on the other hand the Respondents have issued the order of his dismissal dated 2.12.2021.</p> <p>4. Learned C.P.O to take instructions in the matter.</p> <p>5. S.O to 31.1.2022.</p> <p 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><u>20.01.2022</u></p> <p><u>C.A 8/2021 in T.A 1/2016 (W.P 115/2016)</u></p> <p>Shri A.G Sanap ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.D Munde, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Learned C.P.O, M.A.T, Mumbai, is directed to appear in the matter and file affidavit in reply.</p> <p>4. S.O to 25.1.2022.</p> <p 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><u>20.01.2022</u></p> <p align="center"><u>M.A 01/2022 in O.A 04/2022</u></p> <p>Shri C.M Kadam ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri U.V Bhosle, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Misc Application is filed by the applicant seeking stay to the enquiry proceedings.</p> <p>4. The applicant retired as Assistant Superintendent in Forensic Science Laboratory, Mumbai on 31.12.2018 and the enquiry was initiated by issuing charge sheet on 14.10.2021.</p> <p>5. Learned counsel for the applicant challenges the charge sheet under Rule 27 of the Maharashtra Civil Services (Pension) Rules, 1982, which was issued on 14.10.2021. So the incidence which occurred four years prior to the issuance of the charge sheet can be only taken into account for the purpose of enquiry.</p> <p>6. Learned C.P.O submitted that in the affidavit in reply the Respondents have pointed out that the Hon'ble Supreme Court by order dated 23.9.2021 in M.A 665/2021 in SMW (C) No. 3/2020 has made exception to the period of limitation due to Covid-19 Pandemic from March, 2020, and so she submits that the period of 1 ½ years is to be condoned and therefore that period should be stretched prior to October, 2017, that is the period of completion of four years prior to the issuance of the charge sheet.</p> <p>7. If the submissions of the learned C.P.O are taken into account the period of charges can be fixed from 20.3.2016 onwards. On perusal of the charge sheet, it is found that Respondents have not mentioned the exact month and year of Charge no. 7, 8 & 9. The charge No. 1 is of the year 2012.</p> <p>8. Respondents are granted one weeks' time to furnish the details.</p> <p>9. S.O to 27.1.2022.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson [P.T.O.]</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><u>20.01.2022</u></p> <p style="text-align: center;"><u>O.A 748/2021</u></p> <p>Shri R.N Dakhole & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R.V Bansode, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Last chance is given to the Respondents to file affidavit in reply.</p> <p>4. S.O to 7.2.2022.</p> <p style="text-align: right; margin-right: 100px;">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><u>20.01.2022</u></p> <p align="center"><u>O.A 620/2021</u></p> <p>Shri H.B Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Interim relief to continue till next date.</p> <p>4. S.O to 7.2.2022. / /</p> <p 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><u>20.01.2022</u></p> <p align="center"><u>O.A Nos 508 & 509/2021</u></p> <p>B.J Girase S.S Girase Vs. The State of Maharashtra & Ors</p> <p align="right">... Applicants ... Respondents</p> <p>1. Heard Ms Savita Suryavanshi, learned advocate for the applicants and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Learned C.P.O informs that in the month of October, 2021, Respondent No. 2, has informed the applicants that the case of the applicants cannot be considered as there are no posts vacant in the open category.</p> <p>4. It is found that the said letter is not challenged and the Respondents has communicated the reasons as to why they have not taken any action in respect of appointment of the applicants.</p> <p>5. Learned counsel for the applicants seek time to take instructions in the matter.</p> <p>6. S.O to 3.2.2022.</p> <p 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>MA.557/ 2021 in RA.10/2019 in OA.704/2017</u></p> <p>Dr. Nita V. Godbole ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri S.G. Raoot, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Ld. Advocate for the applicant submits that in para 4 of MA he has wrongly mentioned about prayer clause para 54 of RA. He submits that MA is moved simplicitor for bringing on record appointment order of the applicant to the post of Assistant Commissioner of Animal Husbandry.</p> <p>4. Ld. Advocate for the applicant is directed to give a simple Purshis that he is deleting para 4 of the MA.</p> <p>5. Considering the purpose of MA and as the order of posting dated 30.4.2021 is taken on record showing applicant Dr. Nita Vijay Godbole posted at Savner, District Nagpur, present MA is disposed off, by consent.</p> <p>6. RA is adjourned to 10.2.2021.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson 20.1.2022</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><u>20.01.2022</u></p> <p align="center"><u>O.A 841/2021(O.A 919/2017) Aurangabad.</u></p> <p>Shri D.B. Kurale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S.B Bhosale, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Hon'ble Member (A) Ms Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Learned C.P.O states that reply has already been filed at M.A.T, Aurangabad Bench.</p> <p>4. Learned counsel for the applicant to verify the position.</p> <p>5. S.O to 17.2.2022.</p> <p 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>Date : 20.01.2022</p> <p>O.A.No.614 of 2014 with O.A.No.938 of 2016</p> <p>D.E. Hirde (O.A.614/2014) V.V. Chavan & 3 Ors. (O.A.938/2016)Applicants</p> <p align="center">Vs.</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. A.A. Desai, learned Advocate for the Applicant in O.A.614/2014, Mr. S.S. Dere, learned Advocate for the Applicant in O.A.No.938/2016 and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member(A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting single by consent.</p> <p>3. The learned P.O. submits that today she has received instructions to the amended application so she needs time to file reply in O.A.No.614/2014.</p> <p>4. Adjourned to 31.01.2022.</p> <p align="right">Sd/- / (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.01.2022</p> <p>C.A.No.19 of 2020 in O.A.No.1158 of 2016 with O.A.No.352 of 2017 with O.A.No.353 of 2017</p> <p>Smt. S.K. Goraksha & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member(A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting single by consent.</p> <p>3. Matter is adjourned at the request of learned P.O. to obtain instructions about the pay fixation of remaining five applicants and the implementation if any.</p> <p>4. Adjourned to 03.02.2022.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.01.2022</p> <p>O.A.No.848 of 2021</p> <p>M.D. Chopde & Ors. ...Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. S.S. Dere & Asso., learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member(A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting single by consent.</p> <p>3. At the request of learned P.O. Adjourned to 07.02.2022 for filing short affidavit-in-reply.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date : 20.01.2022</p> <p align="center">C.A.No.61 of 2019 in O.A.No.975 of 2018</p> <p>B.S. LambhateApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Advocate for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member(A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting single by consent.</p> <p>3. The learned P.O. produces the order dated 13.12.2021 which is about the revised pension of the Applicant Mr. B.S. Lambhate. It is taken on record and marked as Exhibit-I.</p> <p>4. Meanwhile the Respondents to process the payment.</p> <p>5. At the request of learned Advocate Adjourned to 27.01.2022 to taken instructions from the Applicant.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.01.2022</p> <p align="center">O.A. No.912 of 2021</p> <p>S.S. ShegarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Junior Advocate, holding for Shri V.B. Somawanshi, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.2. It is taken on record.</p> <p>3. Learned P.O. submits that O.A. itself is not maintainable since it is filed on the assumption that it is case of Transfer. Whereas, infact impugned order is not of Transfer but it is of reinstatement in service at different station after revocation of suspension.</p> <p>4. In view of above, O.A. deserves to be disposed of expeditiously, it be kept for hearing.</p> <p>5. S.O. to 24.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p> <p align="right">[P.T.O.]</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">Date: 20.01.2022</p> <p align="center">O.A. No.958 of 2021</p> <p>S.H. SuryawanshiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Ms. Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. Today learned P.O. has filed Affidavit-in-Reply, it is taken on record. 3. O.A. be kept for hearing at the stage of admission with liberty to file Rejoinder, if any. 4. Interim relief to continue till next date. 5. S.O. to 17.02.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">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: 20.01.2022</p> <p align="center">O.A. No.808 of 2021</p> <p>S.P. GharateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.2 & 3. It is taken on record. No Reply is filed on behalf of Respondent No.1.</p> <p>3. On request of learned Advocate for the Applicant two weeks time is granted for filing Rejoinder.</p> <p>4. S.O. to 01.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p align="center">O.A. No.777 of 2021 with O.A. No.792 of 2021 with O.A. No.793 of 2021</p> <p>Y.B. Akolkar S.R. Patil P.B. BhangareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri J.P. Gaikwad, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 07.02.2022.</p> <p align="right"> Sd/- (A.P. Kurhekar) Member (J) </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: 20.01.2022</p> <p align="center">O.A. No.698 of 2021</p> <p>A.R. UttareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.A. Kasar a/w. Sachin Patil, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for the Respondents and Shri G.A. Bandiwadekar, learned Advocate for the Respondent No.4.</p> <p>2. Today learned Advocate for the Respondent No.4 has filed Affidavit-in-Reply. It is taken on record.</p> <p>3. On request of learned P.O. three days time is granted for filing Affidavit-in-Reply on behalf of Respondent Nos.1 to 3 in Office with copy to other side.</p> <p>4. O.A. be kept for hearing at the stage of admission.</p> <p>5. S.O. to 14.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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">Date: 20.01.2022</p> <p align="center">O.A. No.671 of 2021</p> <p>A.R. PatilApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Shri C.T. Chandratre, learned Advocate for the Applicant is on leave note. 2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. 3. Today matter is for filing Rejoinder but the same is not filed. 4. O.A. therefore be kept for hearing at the stage of admission. 5. S.O. to 17.02.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p align="center">O.A. No.564 of 2021</p> <p>K.T. Bargaje & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.D. Patil, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 07.02.2022.</p> <p align="right">^ Sd/-</p> <p align="right">(A.P. Kurhekar) Member (J)</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 align="center">Date: 20.01.2022</p> <p align="center">O.A. No.513 of 2021</p> <p>S.R. KambleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Applicant and his Advocate both are absent. 2. Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents is present. 3. Enough time is granted for filing Affidavit-in-Reply but the same is not filed. Hence, I am not inclined to grant further time. 4. O.A. be kept for hearing at the stage of admission without Reply. 5. S.O. to 17.02.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p align="center">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: 20.01.2022</p> <p align="center">O.A. No.497 of 2021</p> <p>V.M. ChandanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent No.3. It is taken on record. No separate Reply is filed on behalf of Respondent Nos.1 & 2.</p> <p>3. O.A. be kept for hearing at the stage of admission.</p> <p>4. S.O. to 22.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p align="center">O.A. No.80 of 2021 with O.A. No.81 of 2021 with O.A. No.632 of 2021</p> <p>Dr. J.K. Pagare Dr.A.R. Patil Dr. A.S. ThakreApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. The Applicant and his Advocate both are absent. 2. Shri A.J. Chougule, learned Presenting Officer for the Respondents is present. 3. Today learned P.O. has filed Affidavit-in-Reply on behalf of Respondent Nos.1 to 4 in all these O.As, those are taken on record. 4. O.A. is adjourned for hearing at the stage of admission. 5. S.O. to 17.02.2022. <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p align="center">O.A. No.1065 of 2021</p> <p>R.A. JoshiApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Office has raised objection on the point of limitation, since M.A. for Condonation of delay is not filed. Prayer is pertaining to Deemed Date of Promotion in pursuance to order 2002 to the post of Police Sub Inspector and in pursuance to order 2012 to the post of Assistant Police Inspector.</p> <p>3. As such, <i>prima-facie</i> O.A. is not within limitation. The Applicant shall first comply office objection, If office objection are removed particularly M.A. for condonation of delay within two weeks then O.A. be listed for further orders. If objections are not removed within two weeks, O.A. be dismissed without reference to the Tribunal.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p align="center">O.A. No.956 of 2021</p> <p>V.A. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Gaurav A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. two weeks time is granted for filing Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 31.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p>O.A. No.904 of 2021</p> <p>K.N. ShinganatheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. submits that P.E.B. scheduled on 12.01.2022 was postpone due to illness of one of the Member and sought one week time to place the matter before P.E.B.</p> <p>3. In view of statement made by learned P.O. one week time is granted to take decision by P.E.B.</p> <p>4. S.O. to 27.01.2022.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p align="center">O.A. No.990 of 2021</p> <p>C.V. PotdarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. three weeks time is granted for filing Affidavit-in-Reply.</p> <p>3. S.O. to 07.02.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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: 20.01.2022</p> <p align="center">M.A. No.347 of 2021 in O.A. No.498 of 2021</p> <p>M.S. ChavanApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri G.A. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted for filing Reply but the same is not filed. Hence, I am not inclined to grant further time.</p> <p>3. M.A. be kept for hearing without Reply.</p> <p>4. S.O. to 24.01.2022.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</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 : 20.01.2022</p> <p align="center">O.A.No.244 of 2021</p> <p>R. D. MahajanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Ms Sejal Hariyan holding for Shri P. D. Pise, learned Counsel for the Applicant and Smt. Kranti Gaikwad , learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Counsel for the Applicant one week time is granted to file Misc. Application for amendment.</p> <p>3. S.O. to 27.01.2022.</p> <p align="right">Sd/- W (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.01.2022</p> <p align="center">O.A.No.23 of 2022</p> <p>S. G. ShindeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri U. V. Bhosale, learned Counsel for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O., three days time is granted to file reply for the sake of record since <i>prima-facie</i> though there was no legal hurdle for grant of gratuity, the Applicant was deprived of gratuity due to sheer administrative lapses for which he is entitled to interest.</p> <p>3. The Applicant retired on 31.03.2019 and admittedly there was no D.E. or criminal case so as to withhold the gratuity.</p> <p>4. Learned P.O. on instructions all that submits that the service book was remained to be verified and that was the reason for not releasing gratuity. Indeed, the service book was required to be updated much before retirement so that after retirement, a Government servant should get his dues within stipulated period. The process is required to be initiated before two years of retirement as provided in Section 120 of Maharashtra Civil Services (Pension) Rules which is completely ignored.</p> <p>5. S.O. to 24.01.2022 for filing affidavit in reply.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p align="right">[P.T.O.]</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 : 20.01.2022</p> <p align="center">O.A.No.1034 of 2021</p> <p>V. B. BelgeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Counsel for the Applicant and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. On request of learned P.O. for the Respondents, four days time is granted to file reply since according to her the decision of reinstatement is already taken.</p> <p>3. S.O. to 25.01.2022.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

of 20

I N

Original Application No.

of 20

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center">Date: 20.01.2022</p> <p align="center">O.A. No.35 of 2022</p> <p>B.S. DhembareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri U.V. Bhosle, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. The Applicant has challenged order of suspension dated 15.12.2020 on the ground of competency as well as on the ground of prolong suspension without taking review. 3. Issue notice before admission returnable on 15.02.2022. 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. <p align="right">[P.T.O.]</p>

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2. The Tribunal is constituted by the
3. The Tribunal is constituted by the

Tribunal's orders

8. In case notice is not collected within seven days or service report on affidavit is not filed 7 days before returnable date, Original Application shall stand dismissed without reference to Tribunal and papers be consigned to record.

9. S.O. to 15.02.2022.

Sd/-

(A.P. Kurhekar)
Member (J)

NMN

**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 : 20.01.2022</p> <p align="center">O.A.No.343 of 2021</p> <p>S.G. Rajput & Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member(A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting single by consent.</p> <p>3. The learned C.P.O. for the Respondent on instructions submits that the in the entire process of promotional post Grade pay is Rs.5400/-. Therefore the post is equivalent to Deputy Superintendent of Police. Hence, the process of promotion is required to be held at Government leave i.e. Respondent No.1. She further submits that all the required documents are therefore submitted to the Government and the Government will take decision in due course.</p> <p>4. Adjourned to 21.02.2022.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.01.2022</p> <p align="center">O.A.No.477 of 2021</p> <p>S.R. JadhavApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Savita Suryawanshi, learned Advocate holding for Mr. V.V. Joshi, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member(A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting single by consent.</p> <p>3. At the request of learned Advocate adjourned to 14.02.2022. Stay granted is extended till next date.</p> <p align="right">Sd/- /v (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20____

FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.228 of 2021</u></p> <p>S.V. Destewad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri K.R. Jagdale, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon`ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. Ld. CPO informs that Shri Himmat Kharade, Resident Deputy Collector, Pune is present today along with order dated 19.1.2022 issued by Collector, Pune that the applicant is given posting as Rohyo Awal Karkun, Tahsil Office Baramati, District Pune and applicant has joined yesterday. The said order dated 19.1.2022 is taken on record and marked Exhibit '1' for identification.</p> <p>4. Ld. CPO further submits that there was some communication gap from the office of Collector to the office of CPO and therefore the decision in view of the stay granted by the Hon`ble High Court pursuant to the order passed by this Tribunal could not be taken and implemented.</p> <p>5. At the request of Ld. Advocate for the applicant adjourned to 20.7.2022.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 20.1.2022</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.21 of 2022 in O.A. No.32 of 2022</u></p> <p>S.S. Palve & 6 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. The applicants are prosecuting for the same cause of action. For the reasons stated in the MA, leave to sue jointly as prayed for is granted, subject to the Applicants paying requisite court-fees, if not already paid. MA disposed off accordingly.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 20.1.2022</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.32 of 2022</u></p> <p>S.S. Palve & 6 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri D.B. Khaire, learned Advocate for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly, by consent.</p> <p>3. The office objections, if any, are to be removed and court-fees to be paid, if not already paid.</p> <p>4. Issue notice before admission returnable on 24.1.2022. The respondents are directed to file reply.</p> <p>5. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed in view of this present COVID-19 Pandemic situation. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.</p> <p>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.</p> <p>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.</p> <p style="text-align: right;">Sd/- (Mridula Bhatkar, J.) Chairperson 20.1.2022</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

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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 align="center"><u>O.A. No.11 of 2022</u></p> <p>P.G. Tasgaonkar ..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. Hon'ble Member (A), Ms. Medha Gadgil is on leave today. Hence, urgent and interim matters are heard by Chairperson sitting singly by consent.</p> <p>3. The revision of the applicant dated 19.9.2018 is still pending before the Hon'ble Minister of State. There is inordinate delay to decide the same.</p> <p>4. Revision of the Applicant dated 19.9.2018 be decided within two months and decision be communicated to the applicant within two weeks thereafter. OA disposed off accordingly.</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson 20.1.2022</p> <p>(sgj)</p>