

Date: 20.02.2024

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

Tribunal's orders
O.A. No.226 of 2024

Dr. S.B. BahiratApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. Learned Advocate for Applicant states that Applicant was working on the post of 'Medical Officer' in 'District Hospital, Aundh, Pune' from 01.04.2012 upto 06.12.2021.

3. Learned Advocate for Applicant further stated that Applicant was relieved from post of 'Medical Officer, in District Hospital, Aundh, Pune' on 06.12.2021 even though she came to be transferred two different places viz.(1) 'PHC Nere, Tahsil Bhor, District Pune' and (ii) 'PHC Nira, Tahsil Purandar, District Pune'.

4. Learned Advocate of Applicant thereupon state that on 20.06.2023 in pursuance to Application dated 30.05.2023 made by Applicant to the 'District Health Officer, Zilla Parishad, Pune', cognizance was finally taken by the 'Director of Health Services' who narrated all developments that had ^{been} taken place since Transfer Order dated 09.08.2021 till Application dated 30.05.2023 and sought further guidance from 'Commissioner of Health Services, Mumbai' about posting of Applicant.

5. Learned Advocate of Applicant further stated that 'Principal Secretary, Public Health Department' had directed the 'Director of Health Services' on 18.10.2023 to conduct 'Counselling Session' in relation to those 'Medical Officers-Group-A' who have been absent for less than 5 Years'.

6. Learned Advocate for Applicant states that in 'Counselling Session' she has requested to be posted as 'Medical Officer' in (i) 'State Urban Leprosy Unit, Yashwantrao Chavan Memorial Hospital, Pune' or (ii) 'District Tuberculosis Centre, Pune'.

7. Learned PO contends about the limitation period as Applicant has approached after long time having

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being relieved from post of 'Medical Officer, in District Hospital, Aundh, Pune' on 06.12.2021.

8. Learned PO nonetheless to seek information from the 'Commissioner of Health Services, Mumbai' as to whether they are willing to consider request submitted by Applicant during the 'Counselling Session' to be posted on 'Medical Officer' in (i) 'State Urban Leprosy Unit, Yashwantrao Chavan Memorial Hospital, Pune' or (ii) 'District Tuberculosis Centre, Pune' in consideration of the fact that she is 'Single Mother' and as Applicant had been running from 'Pillar to Post' since 06.12.2021 after being relieved from post of 'Medical Officer' in 'District Hospital, Aundh, Pune'.

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

10. Issue notice before admission returnable on 05.03.2024.

11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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.

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

13. 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.

14. 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 Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.

15. S.O. to 05.03.2024.

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: 20.02.2024</p> <p>O.A. No.717 of 2023 with O.A. No. 718 of 2023</p> <p>U.L. Gadage & Ors. B.A. Pawar & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned PO states that information has now been belatedly made available by 'Superintendent of Police, Palghar'. Therefore (i) 'Additional Affidavit-in-Reply' has been filed in 'O.A. No. 717 of 2023' on 01.02.2024 and (ii) Short 'Affidavit-in-Reply' has been filed in 'O.A. No. 718 of 2023' on 01.02.2024 on behalf of 'Superintendent of Police; District Palghar'.</p> <p>3. S.O. to 12.03.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 20.02.2024</p> <p align="center">O.A. No.56 of 2024</p> <p>S.G. ThopateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and, Shri A.J. Chougule, learned Presenting Officer for the Respondents, Shri A.V. Bandiwadekar, learned Advocate for Respondent No. 4. 2. Learned PO files 'Affidavit-in-Reply' dated 14.02.2024 on behalf of 'Commissioner of Police, Pune'. It is taken on record. 3. Learned Advocate for Applicant seeks time of 'Two Weeks' to file 'Affidavit-in-Rejoinder' to 'Affidavit-in-Reply' dated 14.02.2024 filed by 'Commissioner of Police, Pune'. 4. Learned Advocate for the 'Respondent No.4' seeks 'Two weeks' time to file 'Affidavit-in-Reply'. 5. Learned Advocate for Respondent No.4 also seeks time of 'Two weeks' to file 'Affidavit-in-Rejoinder' to 'Affidavit-in-Reply' dated 14.02.2024 filed by 'Commissioner of Police, Pune'. 6. Learned PO to ascertain from 'Commissioner of Police, Pune' about the written charter of 'Duties and Responsibilities' of the post of 'Police Inspector and (Anti-Narcotics Unit-2) Pune' and what periodic reports

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such as 'MPR/QPR' were required to be submitted by Applicant to 'Superior Officers' such as (i)'Deputy Commissioner of Police, Crime Branch, Pune City' (ii) 'Assistant Commissioner of Police Crime-2, Pune City' and whether such periodic reports of the Applicant were subsequently forwarded by them to 'Commissioner of Police, Pune'.

7. S.O. to 05.03.2024.

Sd/-

(Debashish Chakrabarty)

Member (A)

AGR

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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IN

Original Application 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>Date: 20.02.2024</p> <p>O.A. No.1618 of 2023</p> <p>D.M. KokareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Learned Advocate for Applicant states 'Principal Chief Conservator' of Forest (HOFF) Nagpur' has implemented the orders of 'Interim Relief' granted on 20.12.2023 and permitted Applicant to join back on post of 'Range Forest Officer (Territorial), Malshiras, Solapur, Forest Division' on 09.02.2024.</p> <p>3. Learned PO seeks 'Three Weeks' time to file 'Affidavit-in-Reply' on behalf of Respondents. Time as prayed for is granted to learned PO.</p> <p>4. 'Interim Relief' to continue till 'Next Date'.</p> <p>5. S.O. to 14.03.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p>

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

Tribunal's orders
O.A.160/2024

Dr. S.D. Wagh ... Applicant
Vs. ... Respondents
The State of Mah. & Ors.

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO holding for Ms. S.P. Manchekar, learned CPO for Respondents.

2. Learned Advocate for Applicant seeks leave to amend the OA. Allowed. It is to be amended within one week and copy to be served.

3. Issue notice returnable on 21.03.2024.

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

8. 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.

9. S.O. to 21st March, 2024.

st/-
(Debashish Chakrabarty)
Member-A
20.02.2024

st/-
(Mridula Bhatkar, J)
Chairperson
20.02.2024

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.02.2024</p> <p>O.A. No.1256 of 2023</p> <p>R.M. MujawarApplicant 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 Applicant has filed 'Affidavit-in-Rejoinder' on behalf of the Applicant. It is taken on record.</p> <p>3. 'Interim Relief' to continue till 'Next Date'.</p> <p>4. S.O. to 04.03.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No. _____ of 20 _____ DISTRICT _____
..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.02.2024</p> <p>O.A. No.872 of 2023</p> <p>A.A. PawarApplicant 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. 'Interim Relief' to continue till 'Next Date'.</p> <p>3. S.O. to 27.02.2024.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</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 : 20.02.2024</p> <p>O.A.No.230 of 2024</p> <p>Y. K. BangarApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri A. V. Bandiwadekar, learned Advocate for Applicants, Shri A. J. Chougule, learned Presenting Officer for the Respondents and Shri K. R. Jagdale, learned Counsel for Respondent No.3.</p> <p>2. Learned Advocate for Applicant submits that Applicant who was working on post of 'Tahsildar Thane' has been transferred on deputation to post of 'Tahsildar' in 'MMRDA Mumbai' by Revenue and Forest Department Government Order dated 15.02.2024.</p> <p>3. Learned Advocate for Applicant further states that Applicant had completed 'Normal Tenure' of 3 Years on the post of 'Tahsildar Thane'. However, Revenue and Forest Department Government Order dated 15.02.2024 by which Applicant is transferred to post of 'Tahsildar' in 'MMRDA, Mumbai' being 'Deputation Post' for cadre of Tahsildar, it required prior consent of Applicant as well as concurrence from 'Urban Development Department'.</p> <p>4. Learned Advocate for Applicant then drew attention to 'District Collector and DEO Thane' letter dated 27.06.2023 addressed to 'Additional Chief Secretary and Chief Electoral Officer Maharashtra State' requesting that the post of the 'Special Executive Magistrate, Collector Office, Thane' be notified as 'Assistant Electoral Registration</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Officer' for '147-Kopri Panchpakhadi Assembly Constituency' on grounds of 'Administrative Convenience'.</p> <p>5. Learned Advocate for Applicant then drew attention to 'Notification' dated 24.01.2024 issued by Election Commission of India to appoint 'Assistant 'Returning Officers' under 'Section 22' of 'Representation of People Act, 1951' to assist the 'Returning Officer' of '25-Thane : Parliamentary Constituency.' Insofar as '25-Thane Parliamentary Constituency' is concerned, it is the 'Additional Collector, Thane' who is notified as the 'Returning Officer' whereas for '147- Kopri Panchpakhadi Assembly Constituency' it is the 'Deputy Collector, Rehabilitation, Thane' who is notified as 'Assistant Returning Officer'. Thus, the Applicant while serving on post of 'Tahsildar, Thane' was not to be associated directly with conduct of 'General Election to Lok Sabha : 2024'.</p> <p>6. Learned Advocate for Applicant then emphasized the difference between the Election Commission of India, letter dated 09.01.2014 applicable at the time of conduct of 'General Election to Lok Sabha: 2014' and present set of instructions contained in Election Commission letter dated 21.12.2023 applicable to the conduct of 'General Election to Lok Sabha : 2024'. He says that it was pertinent to note that earlier instructions of Election Commission were applicable to all District Officers, Police Officers and Protection and Excise Officers' whether they were connected to election either directly or indirectly, whereas current instructions have been made applicable only in respect of those who are directly connected with conduct of 'General Election to Lok Sabha: 2024'</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>7. Learned P.O. produces copy of 'File Noting' including recommendations of 'CSB' in respect of Applicant as well as 'Respondent No.3'. The 'Minutes of Meeting' of 'CSB' indicate that 'Respondent No.3' was initially proposed to be transferred on the post of 'Tahsildar' Ambernath, District Thane'. However, it was not approved by next 'Superior Transferring Authority' and returned back for reconsideration; whereupon 'Respondent No.3' was then proposed to be transferred to post of 'Tahsildar, Devgad, District Sindhudurg'. However, this proposal was also returned back for reconsideration but transfer of 'Respondent No.3' to post of 'Tahsildar, Devgad, District Sindhudurg' was reaffirmed. The proposal was not finally accepted by next 'Superior Transferring Authority' and 'Respondent No.3' was directed to be posted on post of 'Tahsildar Thane'. However, the recommendation in respect of 'Applicant' as made by 'CSB' to be posted on post of 'Tahsildar' in 'MMRDA, Mumbai' came to be approved by 'Competent Transferring Authority' and next 'Superior Transferring Authority'. Learned PO finally states that 'Respondent No.3' has assumed charge of post of 'Tahsildar Thane' on 20.02.2024.</p> <p>8. The Applicant by letter dated 25.01.2024 addressed to Additional Chief Secretary (Revenue), Revenue and Forest Department had requested not to transfer him from post of 'Tahsildar Thane' although he had completed 'Normal Tenure' of 3 Years because 'Criminal Case' was pending against him and therefore he could not be associated with/deployed on election related duty relating to 'General Election to Lok Sabha : 2024'. The Applicant had thus requested that he be transferred during the 'General</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Transfer : 2024'. Also in case of Applicant, the 'CSB' had recommended 'Extension of Tenure' by 1 Year on the post of 'Tahsildar Thane'. Hence, recommendations of 'CSB' were overruled both in respect of 'Applicant' and 'Respondent No.3'. Further also the fact that transfer of Respondent No.3 to post of 'Tahsildar Thane' should have been done only after consultations with 'Additional Chief Secretary and Chief Electoral Officer Maharashtra State' as per provision of 'Para 8' in the Election Commission of India letter dated 21.12.2023. However, these directions in 'Para 8' of Election Commission of India letter dated 21.12.2023 were not observed before issue of Revenue and Forest Department Government Order dated 15.02.2024 to transfer 'Respondent No.3' who was working on post of 'Tahsildar cum Competent Authority No.9', in 'SRA Mumbai' to the post of 'Tahsildar, Thane'. Further transfer of Applicant to post of 'Tahsildar' in 'MMRDA, Mumbai' being 'Foreign Service' required consent from Applicant as per provisions of 'Rule 36' of Maharashtra Civil Services (Joining Time, Foreign Service and Payments during Suspension, Dismissal and Removal), Rules, 1981.</p> <p>9. The transfer of Applicant to post of 'Tahsildar' in 'MMRDA, Mumbai' being 'Foreign Service' could not have been done without consent of Applicant. No compelling reason to overrule the recommendations of 'CSB' for 'Extension of Tenure' by 1 Year of the Applicant on the post of 'Tahsildar Thane'. The Applicant had himself requested the Additional Chief Secretary (Revenue), Revenue and Forest Department that he be transferred only during 'General Transfer : 2024'. 'Interim Relief' is not being granted at this stage because 'Respondent No.3' has</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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	<p>joined on post of 'Tahsildar, Thane' on 20.02.2024. However, the issue of grant of 'Interim Relief' is being kept open and will be considered after 'Affidavit in Reply' is filed within 'One Week' on behalf of Additional Chief Secretary (Revenue) Revenue and Forest Department.</p> <p>10. The office objection, 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 27.02.2024.</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> <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 / <u>Miscellaneous</u> Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / <u>Miscellaneous</u> Application shall stand dismissed.</p> <p>16. S.O. to 27.02.2024.</p> <p style="text-align: center;">sd/- (Debashish Chakrabarty) Member (A)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p>Date : 20.02.2024</p> <p align="center">O.A.No.231 of 2024</p> <p>Shri Dipak S. ChavanApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri M. D. Lonkar, learned Advocate for Applicant and Smt. Archana B. K., learned Presenting Officer for Respondents</p> <p>2. Learned Counsel for Applicant stated that Applicant who was working on the post of 'Deputy Collector (EGS), Thane' has been transferred by Revenue and Forest Department Government Order dated 15.02.2024 to vacant post of 'Deputy Collector (EGS) Raigad' under provisions of Section 4(4)(ii) and Section 4(5) of the Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 in view of the directions in Election Commission of India letter dated 21.12.2023.</p> <p>3. Learned Advocate for Applicant further stated that both these posts are not included in the 'Notification' under 'Section 22' of the 'Representation of People Act, 1951' of 'Assistant Returning Officers' for 'General Election of Lok Sabha 2024' and consequently directions of Election Commission of India letter dated 21.12.2023 were not applicable to Applicant.</p> <p>4. Learned Advocate for Applicant thereupon stated that Applicant has completed Normal Tenure of 3 Years on post of 'Deputy Collector (EGS) Thane' was thus liable to be transferred under 'General Transfer: 2024' but not under provisions of Section 4(4)(ii) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>5. Learned Advocate for Applicant then submitted that no other officer from the cadre of 'Deputy Collectors' has been posted in place of applicant on post of 'Deputy Collector (EGS) Thane'.</p> <p>6. Learned P.O. states that transfer of Applicant from post of 'Deputy Collector (EGS) Thane' to 'Deputy Collector (EGS) Raigad' was in accordance with provisions of Section 4(4)(ii) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005 for which the 'Specific Reasons' and 'Exceptional Circumstances' considered were directions in Election Commission of India letter dated 21.12.2023 regarding 'General Election to Lok Sabha 2024'.</p> <p>7. The directions in Election Commission of India in letter dated 21.12.2023 are only in respect of 'District Officers' such as Additional Collectors; Deputy Collectors; Tahsildars and Naib Tahsildars who are directly connected with conduct of General Election to Lok Sabha: 2024. However, neither the present post of Applicant which is Deputy Collector (EGS), Thane nor the post of Deputy Collector (EGS) Raigad to which he stands transferred by Revenue and Forest Department Government Order dated 15.02.2024 are those of 'Assistant Returning Officers' notified under 'Section 22' of the 'Representation of People Act, 1951' which would have necessitated transfer to be done under Section 4(4)(ii) and 4(5) of Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Act, 2005.</p> <p>8. The transfer of Applicant has happened because 'District Collector & DEO Thane' has not diligently acted on clear directions given by Revenue and Forest Department Letter dated 20.01.2024 to Divisional Commissioners to submit the lists of District Officers such as Additional Collectors; Deputy Collectors; Tahsildars and Naib Tahsildars who would be directly connected with or associated with / deployed for election related duty for 'General Election to Lok Sabha: 2024'. The Applicant had himself made representation on 23.01.2024 to bring it to the notice of Additional Chief Secretary (Revenue), Revenue and Forest Department that he cannot even be associated with / deployed on election related duty regarding 'General Election to Lok Sabha: 2024' because of Specific Directions in 'Para 6 (v)' of Election Commission of India letter dated 21.12.2023 as he has 'Criminal Case' pending against him in</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p>'District and Session Court Thane'. The Applicant had requested that as he has completed 'Normal Tenure' of 3 years, he be transferred during 'General Transfer 2024'. Hence considering these facts and circumstances of the case of Applicant, there was no such compelling reasons to immediately transfer Applicant 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. Further as no other officer from the cadre of Deputy Collector has been posted in place of Applicant on post of 'Deputy Collector (EGS) Thane' and as in no circumstances even if Applicant were to have joined on post of 'Deputy Collector (EGS) Raigad', he could be associated with /deployed on election related duty regarding General Election to Lok Sabha: 2024, the Applicant by way of 'Interim Relief' is permitted to continue on post of 'Deputy Collector (EGS) Thane'. Further, the Applicant is not to be directed to join on vacant post of 'Deputy Collector (EGS) Raigad'.</p> <p>9. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>10. Issue notice before admission returnable on 18.03.2024.</p> <p>11. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of 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>12. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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13. 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.

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15. S.O. to 18.03.2024.

sd/-

(Debashish Chakrabarty)
Member (A)

vsm

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer..... Date : 20.02.2024)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A.No.228 of 2024
	<p>Shri Himmat H. KharadeApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. Kranti Gaikwad, learned Presenting Officer for Respondents</p> <p>2. Learned Advocate for Applicant stated that Applicant who was working on the post of 'Deputy Collector Leave Reserve, Pune' in office of 'District Collector, Pune' has been transferred by Revenue and Forest Department Government Order dated 31.01.2024 to the post of 'Deputy Collector, Land Acquisition No.1, Solapur'.</p> <p>3. Learned Advocate for Applicant further stated that Applicant had been recently transferred to post of 'Deputy Collector Leave Reserve, Pune' in office of the District Collector, Pune' by Revenue and Forest Department Government Order dated 19.06.2023.</p> <p>4. Learned Advocate for Applicant then drew attention to contents of Revenue and Forest Department letter dated 06.11.2023 to all Divisional Commissioners with directions to submit information by 17.11.2023 in prescribed 'Proforma' about transfers of District Officers such as Additional Collectors, Deputy Collectors, Tahsildars and Naib Tahsildars which may have to be done before 'General Election to Lok Sabha : 2024'.</p> <p>5. Learned Advocate for Applicant thereupon mentioned that 'District Collector & DEO, Pune' had written letter to Additional Chief Secretary (Revenue), Revenue and Forest Department' on 10.01.2024 stating therein that as Applicant was holding post of 'Deputy Collector Leave Reserve, Pune Office' and not proposed to be associated with / deployed for election duty related to 'General Election to Lok Sabha : 2024', he need not be transferred</p>

[P.T.O.]

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>and also forwarded letter submitted by Applicant on 08.01.2024.</p> <p>6. Learned Advocate for Applicant then referred to Revenue & Forest Department letter dated 20.01.2024 to Divisional Commissioners by which they were directed to submit proposals for transfer of 'District Officers' such as Additional Collector, Deputy Collector, Tahsildar and Naib Tahsildar except those who are to be exempted for justiciable reasons along with their 'Certificate' signed by 'District Collectors & DEO'.</p> <p>7. The Learned Advocate for Applicant also submitted copy of letter written by Divisional Commissioner, Pune to Additional Chief Secretary (Revenue), Revenue & Foret Department on 05.02.2024 along with Certificate in respect of Applicant which mentions that he will not be assigned any work related to 'General Election of Lok Sabha 2024'. The 'District Collector & DEO, Pune' on 31.01.2024 had reported to Divisional Commissioner, Pune that Applicant need not be transferred from post of 'Deputy Collector Leave Reserve, Pune' and attached 'Certificate' which mentions that Applicant had met with 'Serious Accident'.</p> <p>8. Learned Advocate for Applicant lastly drew attention to few 'Certificates' issued by 'District Collector & DEO, Pune' on 25.01.2024 in respect of other 'Deputy Collectors' who were not to be transferred and these were taken into due consideration by Revenue and Forest Department.</p> <p>9. Learned P.O. submits that Applicant has been transferred from post of Deputy Collector (EGS) Pune on grounds that he has completed more than 3 Years of 'Normal Tenure' and because the incumbent on post of 'Deputy Collector, Land Acquisition No.1, Solapur' had also completed 'Normal Tenure' of 3 Years. She stated that Applicant had to be transferred on the basis of directions in Election Commission of India letter dated 21.12.2023 because he has been working in Pune District since 11.09.2019. Further, the post of 'Deputy Collector Land Acquisition No.1 Solapur' was necessary to fill up as it is of 'Assistant Returning Officer'. Therefore, CSB had recommended the transfer of Applicant to post of Deputy Collector, Land Acquisition No.1 Solapur.</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>10. The 'District Collector and DEO Pune' had submitted the letter of Applicant to 'Additional Chief Secretary (Revenue) Revenue and Forest Department' on 10.01.2024 with request not to transfer Applicant. The Applicant was thus not to be directly or indirectly involved with any election work related to 'General Election to Lok Sabha : 2024' as communicated by District Collector & DEO Pune's letter dated 10.01.2024. In addition District Collector & DEO, Pune on 31.01.2024 had again written to Divisional Commissioner, Pune and thereupon Divisional Commissioner Pune on 05.02.2024 had written to Additional Chief Secretary (Revenue), Revenue and Forest Department about Applicant clearly mentioning that he will not to be assigned any work in respect of 'General Election to Lok Sabha 2024'. The 'Certificate' was belatedly issued by 'District Collector and DEO Pune' on 31.01.2024 because Applicant had submitted letter once again to District Collector, Pune on 31.01.2024. However, the letters of 'District Collector & DEO Pune' on 31.01.2024 and 'Divisional Commissioner, Pune' along with 'Certificates' submitted to Additional Chief Secretary (Revenue) Revenue and Forest Department make it evident that they had desired that Applicant who suffers from health problems relating to mobility due to 'Serious Accident' be treated as par with the other 4 Deputy Collectors who were suffering from ailments such as 'Cancer' and 'Brain Tumor'. The cases of all these 4 Deputy Collectors have been sympathetically considered and they were not transferred by Revenue and Forest Department Government Orders dated 31.01.2024 and 15.02.2024.</p> <p>11. The case of Applicant was thus required to be considered at par with the cases of other 4 Deputy Collectors as both District Collector & DEO, Pune and Divisional Commissioner, Pune have given 'Certificate' that Applicant will not to be assigned any work relating to 'General Elections to Lok Sabha 2024'. However, as</p>

PTO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Respondent No.5 having been being relieved from post of 'Deputy Collector Land Acquisition No.1, Solapur' has joined on post of 'Deputy Collector Leave Reserve Pune' on 20.02.2024, the Additional Chief Secretary (Revenue), Revenue and Forest Department is directed to consider the case of Applicant at par with those of other 4 Deputy Collectors who have been exempted from transfers. The Applicant be posted within Pune District on any vacant post of 'Deputy Collector' under Revenue and Forest Department or if the Applicant consents to any available 'Deputation Post'. In the meanwhile, the Applicant is not to be directed to join on post of 'Deputy Collector, Land Acquisition No.1, Solapur'.</p> <p>12. The office objection, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>13. Issue notice before admission returnable on 27.02.2024.</p> <p>14. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. Respondents are put to notice that the case may be taken up for final disposal at the stage of admission hearing.</p> <p>15. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.</p> <p>16. By Hand delivery, speed post, courier notice to be served and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.</p> <p>17. 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 / <u>Miscellaneous</u> Application shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / <u>Miscellaneous</u> Application shall stand dismissed.</p> <p>18. S.O. to 27.02.2024.</p> <p style="text-align: center;">sd/- (Debashish Chakrabarty) Member (A)</p>

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Notes, Office Memoranda of Coram,
appearance, Tribunal's orders or
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Tribunal's orders

O.A.1226/2023

Dr. A.S. Chandanwale ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Smt. Punam Mahajan, learned Advocate for Applicant, Smt. K.S. Gaikwad, learned PO holding for Ms. S.P. Manchekar, learned CPO for Respondent No.1 and Shri M.D. Lonkar, learned Advocate for Respondent No.2.

2. S.O. to 26th February, 2024.

sd/-
(Debashish Chakrabarty) (Mridula Bhatkar, J)
Member-A Chairperson
20.02.2024 20.02.2024

(skw)

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="776 784 935 817">20.02.2024</p> <p data-bbox="1024 879 1240 912"><u>O.A 1443/2023</u></p> <p data-bbox="776 955 1409 988">V.K Aher ... Applicant</p> <p data-bbox="964 988 1003 1021">Vs.</p> <p data-bbox="776 1021 1451 1054">The State of Maharashtra & Ors ... Respondents</p> <p data-bbox="776 1085 1490 1174">1. Heard Smt Punam Mahajan, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p data-bbox="776 1205 1490 1294">2. Matter is already adjourned to 23.4.2024. Suo Moto taken on Board at the request of learned counsel for the applicant.</p> <p data-bbox="776 1324 1490 1574">3. Learned counsel for the applicant submits that the applicant is going to retire on 31.3.2024 and hence there is urgency in the matter. The matter pertains to promotion and seniority. Learned counsel submitted that juniors to the applicant is already promoted and applicant has already submitted two representations and the last representation is dated 2.11.2023 and the same is not yet decided.</p> <p data-bbox="776 1605 1490 1727">4. In view of this, we direct the Respondent, Principal Secretary, Planning Department to consider the representation dated 2.11.2023 before 22.2.2023 as the matter is fixed on 23.2.2024.</p> <p data-bbox="776 1758 1230 1791">5. S.O to 23.2.2024. Hamdast.</p> <p data-bbox="776 1888 971 1977">Sd/- (Medha Gadgil) Member (A)</p> <p data-bbox="1182 1888 1474 1977">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p data-bbox="776 1982 808 2007">Akn</p>

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	<p>20.02.2024</p> <p><u>C.A 41/2023 in O.A 297/2015</u></p> <p>U.N Yadav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that G.A.D has given opinion on the file and the file will be submitted to Finance Department.</p> <p>3. S.O to 27.2.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p>20.02.2024</p> <p><u>C.A 70/2023 in O.A 823/2022 with C.A 75/2023 in O.A 116/2021</u></p> <p>A.T Patil S.S Bhusare ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicants submitted that the matter is pending before the Hon'ble High Court.</p> <p>3. In view of the above, matter adjourned to 16.4.2024.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>20.02.2024</u></p> <p><u>C.A 90/2023 in O.A 13/2017</u></p> <p>N.S Navale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time.</p> <p>3. S.O to 5.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>20.02.2024</u></p> <p><u>C.A 102/2023 in O.A 347/2019</u></p> <p>P.A Gangarde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O submitted that the Hon'ble High Court, Bombay in W.P 13882/2023 has directed the Tribunal to defer the hearing of the Contempt Application as the matter is pending before the Hon'ble High Court.</p> <p>3. In view of the above, matter stands adjourned to 19.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>20.02.2024</u></p> <p><u>C.A 7/2024 in O.A 149/2019</u></p> <p>S.S Suryawanshi & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicants. Heard ShriA.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply. Same is taken on record.</p> <p>3. S.O to 5.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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<p>Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders</p>	<p>Tribunal's orders 20.02.2024</p>
	<p><u>C.A 08/2024 in O.A 465/2017</u></p> <p>G.R Karpe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time.</p> <p>3. S.O to 27.2.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p>20.02.2024</p> <p><u>C.A 11/2024 in O.A 356/2022</u></p> <p>A.R Kore ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Ms Archana B.K, learned P.O for the Respondents.</p> <p>2. The present Contempt is filed seeking compliance of the order dated 23.12.2022 in O.A 356/2022. Learned counsel for the applicant submitted that the applicant has received Gratuity, Leave Encashment and part payment of Family Pension. However, he has not received interest thereon on Gratuity, Leave Encashment and part payment of Family Pension.</p> <p>3. Learned P.O seeks time to verify and the Respondent-State would like to check the variance in the amount which is to be paid by way of interest and the amount already paid.</p> <p>4. S.O to 5.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>20.02.2024</u></p> <p><u>R.A 09/2023 in O.A 570/2017</u></p> <p>B.G Kingare & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the Respondent-State will file affidavit in reply and seeks time.</p> <p>3. S.O to 12.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>20.02.2024</u></p> <p><u>M.A 303/2023 in O.A 491/2021</u></p> <p>Dr S.V Sambhare ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Matter adjourned to 12.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>20.02.2024</u></p> <p><u>M.A 594/2023 in O.A 574/2023</u></p> <p>S.I Bhosale ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 5.3.2024.</p> <p>(Medha Gadgil) Member (A) Akn</p> <p>(Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>20.02.2024</u></p> <p><u>M.A 719/2023 in O.A 1462/2023</u></p> <p>G.S Ahankari ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned counsel for the applicant, Mrs K.S Gaikwad, learned counsel for Respondent No. 1 and Shri B.A Bandiwadekar, learned counsel for Respondent No. 2.</p> <p>2. Learned counsel Shri Bandiwadekar, for Respondent No. 2 files affidavit in reply. Same is taken on record.</p> <p>3. S.O to 5.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>M.A 730/2023 in O.A1439/2023 with M.A 731/2023 in O.A 1440/2023</u></p> <p>R.K Deorukhkar M.M More ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri K.R Jagdale, learned counsel for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 5.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>20.02.2024</u></p> <p><u>M.A 67/2024 in O.A 567/2019</u></p> <p>S.P Aher & Anrs ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time to file reply.</p> <p>3. S.O to 12.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>20.02.2024</u></p> <p><u>M.A 78/2024 in O.A 213/2018 with M.A 85/2024 in O.A 214/2018</u></p> <p>A.A Walvekar V.S Suryavanshi ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicants. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O request for time.</p> <p>3. S.O to 5.3.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p align="center"><u>20.02.2024</u></p> <p align="center"><u>O.A 164/2017</u></p> <p>Y.N Kapase ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri C.T Chandratre, learned counsel for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. The applicant who is working as Senior Clerk in the office of Assistant Registrar, Cooperative Societies, Niphad, prays that his name is to be considered in the roster point of NT(B) for promotion to the post of Head Clerk/Cooperative Officer, Grade-II.</p> <p>3. Learned P.O has already produced copy of order dated 19.10.2022 wherein it is informed that the applicant was already promoted to the post of Head Clerk and hence it was mentioned by the learned P.O on earlier date on 21.11.2023 that grievance of the applicant is already redressed. However, on that day, learned counsel for the applicant was not present.</p> <p>4. Learned counsel for the applicant Shri Chandratre submitted that he wants to argue the matter.</p> <p>5. S.O to 21.2.2024.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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	<p><u>20.02.2024</u></p> <p><u>O.A 242 & 789/2017</u></p> <p>S.K Bolbhat S.K Pawar ... Applicants</p> <p style="text-align: center;">Vs.</p> <p>The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned counsel for the applicants and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. At the request of learned P.O, adjourned to 5.3.2024.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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>20.02.2024</u></p> <p align="center"><u>O.A 646/2017</u></p> <p>G.S Choudhari ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Matter called out. Learned counsel for the applicant not present. Now the Court file is reconstructed.</p> <p>3. The applicant belongs to OBC category who holds Diploma in Mechanical Engineering. She has appeared for the post of Assistant Motor Vehicle Inspector, pursuant to the advertisement dated 30.1.2017. The applicant who belongs to OBC paid full fee of Rs. 373/- and had she applied in OBC category, the fee was Rs. 273/-. She appeared for the examination which was scheduled on 30.4.2017. However, her name was not found in the list of successful candidates for the Preliminary Examination. She has challenged the said result as she is hopeful to get 8 marks and cut off marks for open female category is 1 mark.</p> <p>4. Learned P.O relied on the affidavit in reply dated 7.9.2017 through Vijaya Padote, Deputy Secretary in the office of M.P.S.C, Respondent No. 2. Learned P.O submits that the cut off marks for OBC category was 23 and as the applicant has secured 9 marks, should was not considered eligible to appear for the Main Examination.</p> <p>5. Learned counsel for the applicant is directed to remain present on the next date.</p> <p>6. Matter is kept under the caption 'For Dismissal' on 22.2.2024.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p align="center">Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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.520 of 2023 in O.A. No.800 of 2023</u></p> <p>The Maharashtra State Food Officers Welfare Association ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. MA and OA be shown under the caption of "Duc Admission".</p> <p>3. S.O. to 18.3.2024. Interim relief to continue.</p> <p align="right">sd/- (Medha Gadgil) Member (A) 20.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1445 of 2023</u></p> <p>M.D. Patil ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Ganesh Masurkar holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 12.3.2024. Interim relief to continue.</p> <p align="right">sd/- (Medha G. Gogil) Member (A) 20.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1366 of 2023</u></p> <p>N.P. Sonar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V. Nirbahavane, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Ld. Advocate for the applicant files affidavit in rejoinder dated 20.2.2024.</p> <p>3. Admit.</p> <p>4. S.O. to 28.3.2024 for final hearing with liberty to file sur-rejoinder.</p> <p align="right">sd/- (Medha Gadgil) Member (A) 20.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>O.A. No.1151 of 2023</u></p> <p>J.D. Dange & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougale, learned Presenting Officer for the Respondents.</p> <p>2. Home Department is directed to positively file reply.</p> <p>3. S.O. to 11.3.2024. Interim relief to continue until further orders.</p> <p align="right">sd/- (Medha Gadgil) Member (A) 20.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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.1101 of 2023</u></p> <p>A.J. Chorge ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri Gaurav Jadhav, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO seeks time to file reply.</p> <p>3. S.O. to 11.3.2024 by way of last chance.</p> <p align="right">sd/- (Medha Gadgil) Member (A) 20.2.2024</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.210 of 2024</u></p> <p>G.D. Meshram ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Potbhare, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 12.3.2024. 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 Gadgil) Member (A) 20.2.2024</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.211 of 2024</u></p> <p>A.S. Sadaphule ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 12.3.2024. 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 Gadgil) Member (A) 20.2.2024</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.197 of 2024</u></p> <p>S.H. Parte & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 18.3.2024. 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 Gadgil) Member (A) 20.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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FARAD CONTINUATION SHEET No.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>M.A. No.100 of 2024 in O.A. No.197 of 2024</u></p> <p>S.H. Parte & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. 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/- (Medha Gadgil) Member (A) 20.2.2024</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.184 of 2024</u></p> <p>U.M. Rane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 5.3.2024. 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^yGadgil) Member (A) 20.2.2024</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.169 of 2024</u></p> <p>D.V. Ghag ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The office objections, if any, are to be removed and court fees to be paid, if not already paid.</p> <p>3. Issue notice before admission returnable on 5.3.2024. 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 Gadgil) Member (A) 20.2.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.02.2024</p> <p>O.A.No.650/2023</p> <p>R.R. GireApplicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Adjourned to 21.02.2024. P.H.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

Original Application No.

of 20

DISTRICT

..... Applicant/s

(Advocate

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.02.2024</p> <p style="text-align: center;">O.A.No.919/2018 with O.A.No.1049/2018</p> <p>Y.L. Belgiri (O.A.919/2018) M.B. Pandit (O.A.1049/2018)Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. At the request of learned P.O. adjourned to 21.02.2024.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">(Medha Gadgil) Member (A)</p> <p style="text-align: center;">(Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.02.2024</p> <p>O.A.No.837/2022 with O.A.No.860/2022 with O.A.No.941/2022 with O.A.No.946/2022</p> <p>Dr. V. Salunkhe @ Pawar &Ors.Applicants Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. M.V. Thorat with Mr. Kiran Singh, learned Counsel for the Applicants in O.A.No.837/2022 and Mr. D.D. Rananaware, learned Counsel for the Applicant in O.A.No.946/2022 and Ms. K.S. Gaikwad, learned Presenting Officer holding for Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. Mr. Jay and Mr. Siddiqui learned Counsel for the Applicants in O.A.No.860/2022 & O.A.No.941/2022 are absent.</p> <p>3. Learned Counsel has filed the copy of pursis which was filed before M.A.T. Bench Nagpur in O.A.No.452/2022 wherein it is the mentioned the contention of NMC treating equivalent the experience of Assistant Professor as Senior Resident. It is submitted by learned Counsel that if the pursis and the stand taken by NMC are clear the matter can be disposed of.</p> <p>4. We direct the Medical Education Department to appoint a responsible officer to remain present on the next date. In view of this pursis and the opinion of NMC after taking the opinion of Respondent-State the matter can be disposed of.</p> <p>5. Adjourned to 22.02.2024 at 10.30 a.m.</p> <p style="text-align: center;">Sd/- (Medha Gadgil) Member (A)</p> <p style="text-align: center;">SD/- (Mridula Bhatkar, J.) Chairperson</p> <p>prk</p>