

**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: 20.03.2023</p> <p style="text-align: center;">O.A. No.128 of 2023</p> <p>D.D. KawadeApplicant 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. The Applicant has challenged suspension order dated 31.03.2022 mainly on the ground of prolong Suspension and prayed for reinstatement in service.</p> <p>3. While Applicant was serving as Cooperative Officer, Grade-II in the Office of Deputy Registrar, Co-operative Societies, Kandiwali (W) he was caught while accepting bribe and was detained in custody of Anti-Corruption Bureau (ACB). He was in custody for more than 48 hours for the offence u/s. 7 of Prevention of Corruption Act, 1988. He was released on bail on 08.03.2022. It is on this background the Respondent – Divisional Joint Registrar, Co-operative Societies, Mumbai suspended the Applicant by order dated 31.03.2022.</p> <p>4. Though enough time is granted to file Affidavit-in-Reply the same is not filed.</p> <p>5. Learned P.O. however fairly concedes that till date neither review is taken nor D.E. is initiated. Insofar as criminal case is concerned, ACB has filed charge-sheet recently before learned Special Judge, Mumbai.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Learned Advocate for the Applicant sought to assail prolong suspension <i>inter-alia</i> contending that in view of decision in (2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.) suspension period should not extend beyond 90 days and Respondents are under obligation to serve charge-sheet within 90 days and to take review of the Suspension. But in present case admittedly review is not taken, and therefore prolong Suspension is impermissible. Indeed, Government by G.R. dated 14.10.2011 issued detail instructions for a periodical review of Government servant suspended on the ground of registration of crime under provision of Prevention of Corruption Act, 1988 or IPC. Government also issued another G.R. dated 09.11.2022 to adhere direction by Hon'ble Supreme Court in Ajay Kumar Choudhary's case (cited supra). Needless to mention expeditious decision in D.E., criminal case is fundamental right of the Government servant but his right is now being frustrated because of inaction on the part of the Respondents. Time and again it has been held that were reinstatement in service is not threat to Criminal Case or any purpose will serve by continuing a Government servant under suspension, those Government servant could be reinstated in service on any suitable or Non-Executive Post. As such, Respondent is under obligation to taken review of the matter. There is no certainty for the conclusion of Criminal case. Hence, the order.</p> <p style="text-align: center;">ORDER</p> <ol style="list-style-type: none"> 1. The Original Application is allowed. 2. Respondent is directed to place the matter before Review Committee and appropriate decision to be taken within six weeks from today. 3. Decision as the case may shall be communicated to the Applicant within a week thereafter. 4. No order as to costs. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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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><u>20.03.2023</u></p> <p><u>M.A 617/2022 in O.A 1060/2022</u></p> <p>Smt J.V Salunkhe ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. None present for the applicant. Heard Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Pursuant to the order of this Tribunal, dated 13.3.2023, Shri Chandrakant Sangle, A.C.P, in the office of Commissioner of Police, Pune, is present.</p> <p>3. Learned C.P.O submits that she requires three weeks' time to consult with the officer of the Law Department in the office of the Director General of Police. Time granted.</p> <p>4. S.O to 10.4.2023.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p>M.A. No.699 of 2022 in O.A. No.1110 of 2022</p> <p>V.R. Pingle,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicant is widow of deceased Government servant who died on 13.01.2008. He was given benefit of 1st Time Bound Promotion by order dated 01.03.2017. It was granted considering the said post was isolated post. Thereafter, present Applicant widow of deceased Government servant made representation in the month of April 2021 claiming benefit of decision rendered by the Tribunal in O.A. No.566/2016 in the matter of Shri Ravindra G. Rahate & Shri Shashikant C. Gaikwad. Though initially benefit was granted considering that the post was not isolated the Tribunal granted relief that they are entitled to benefit in terms of promotional post and not as isolated post. The decision rendered by the Tribunal in the matter of Shri Ravindra G. Rahate & Shri Shashikant C. Gaikwad has been implemented. As such, on the ground of parity now the Applicant claims same relief. She made representation in the month of April 2021 but it is not yet decided therefore O.A. is filed on 29.11.2022.</p> <p>3. Learned P.O. opposes the application on the ground that delay is not properly explained and the Applicant is not entitled to the decision rendered by the Tribunal in the matter of Shri Ravindra G. Rahate & Shri Shashikant C. Gaikwad.</p> <p>4. At this juncture, the issue is limited about condonation of delay. Whether the Applicant is entitled to the benefit of the decision in the matter of Shri Ravindra G. Rahate & Shri Shashikant C. Gaikwad on the ground of parity will have to be decided on its own merit. Presently considering that the Applicant is widow of deceased Government servant and representation is also not yet decided. I am inclined to condone the delay so as to decide O.A. on merit.</p> <p>5. For the reasons stated above, M.A. is allowed and delay is condoned.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 20.03.2023</p> <p align="center">O.A. No.1110 of 2022</p> <p>V.R. Pingle,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This O.A. is filed along with M.A. No.699/2022 for condonation of delay which is allowed today. O.A. therefore requires to be decided on merit since already notice in M.A. is issued, issuance of notice in O.A. is dispensed with.</p> <p>3. Two weeks time is granted to file Affidavit-in-Reply to M.A.</p> <p>4. S.O. to 17.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date: 20.03.2023</p> <p style="text-align: center;">O.A. No.128 of 2023</p> <p>D.D. KawadeApplicant 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. The Applicant has challenged suspension order dated 31.03.2022 mainly on the ground of prolong Suspension and prayed for reinstatement in service.</p> <p>3. While Applicant was serving as Cooperative Officer, Grade-II in the Office of Deputy Registrar, Co-operative Societies, Kandiwali (W) he was caught while accepting bribe and was detained in custody of Anti-Corruption Bureau (ACB). He was in custody for more than 48 hours for the offence u/s. 7 of Prevention of Corruption Act, 1988. He was released on bail on 08.03.2022. It is on this background the Respondent – Divisional Joint Registrar, Co-operative Societies, Mumbai suspended the Applicant by order dated 31.03.2022.</p> <p>4. Though enough time is granted to file Affidavit-in-Reply the same is not filed.</p> <p>5. Learned P.O. however fairly concedes that till date neither review is taken nor D.E. is initiated. Insofar as criminal case is concerned, ACB has filed charge-sheet recently before learned Special Judge, Mumbai.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>6. Learned Advocate for the Applicant sought to assail prolong suspension <i>inter-alia</i> contending that in view of decision in (2015) 7 SCC 291 (Ajay Kumar Choudhary Vs. Union of India & Anr.) suspension period should not extend beyond 90 days and Respondents are under obligation to serve charge-sheet within 90 days and to take review of the Suspension. But in present case admittedly review is not taken, and therefore prolong Suspension is impermissible. Indeed, Government by G.R. dated 14.10.2011 issued detail instructions for a periodical review of Government servant suspended on the ground of registration of crime under provision of Prevention of Corruption Act, 1988 or IPC. Government also issued another G.R. dated 09.11.2022 to adhere direction by Hon'ble Supreme Court in Ajay Kumar Choudhary's case (cited supra). Needless to mention expeditious decision in D.E., criminal case is fundamental right of the Government servant but his right is now being frustrated because of inaction on the part of the Respondents. Time and again it has been held that were reinstatement in service is not threat to Criminal Case or any purpose will serve by continuing a Government servant under suspension, those Government servant could be reinstated in service on any suitable or Non-Executive Post. As such, Respondent is under obligation to taken review of the matter. There is no certainty for the conclusion of Criminal case. Hence, the order.</p> <p style="text-align: center;">ORDER</p> <ol style="list-style-type: none"> 1. The Original Application is allowed. 2. Respondent is directed to place the matter before Review Committee and appropriate decision to be taken within six weeks from today. 3. Decision as the case may shall be communicated to the Applicant within a week thereafter. 4. No order as to costs. <p style="text-align: right;">Sd/- ~ (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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	<p>Date : 20.03.2023</p> <p align="center">O.A.No.1096 of 2022 with O.A.No.07 of 2023</p> <p>K. V. Kashid S. R. DukaleApplicants</p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Shri S. S. Dere, learned Counsel for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents.</p> <p>2. When these Original Applications along with connected O.As are taken up for hearing, it is noticed that in these two Original Applications SP, Satara and SP, Ahmednagar have already cancelled NOC, therefore, these two OAs are detagged with remaining OAs.</p> <p>3. Two weeks time is granted to learned P.O. to file reply on behalf of the Respondents in these two OAs.</p> <p>4. S.O. to 3.04.2023.</p> <p align="right">Sd/-</p> <p align="right">(A.P. Kurhekar) Member(J)</p> <p>vsm</p>

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	<p align="center"><u>O.A. No.202 of 2016</u></p> <p>S.S. Ketkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri C.T. Chandratre, learned Advocate for the Applicant, Shri A.J. Chougule, learned Presenting Officer for Respondents No.1 & 2 and Shri S.P. Wasnik, learned Advocate for Respondent no.3.</p> <p>2. Ld. PO submits that all the candidates who were shortlisted are Post Graduate (MD). This is a very serious matter.</p> <p>3. Ld. Advocate for the applicant has challenged the short listing criteria.</p> <p>4. Ld. PO submits that higher officer than the Section Officer of MPSC and Medical Education Department will remain present to give assistance.</p> <p>5. Kept back.</p> <p align="center">Sd/- Sd/-</p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 20.3.2023 20.3.2023</p> <p>(sgj)</p>

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

Tribunal's orders

Date : 20.03.2023

O.A.No.302/2023

S.D. WaghmareApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. None for the Applicant. Heard Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents

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

3. Issue notice before admission returnable on 20.04.2023.

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

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

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

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

8. Adjourned to 20.04.2023.

Sd/-

(Medha Gadgil)
Member (A)

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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	<p><u>20.03.2023</u></p> <p align="center"><u>O.A 1152/2022</u></p> <p>Shri M.S Bhagat & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicants and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Admit.</p> <p>3. Place for final hearing on 5.6.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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	<p><u>20.03.2023</u></p> <p align="center"><u>C.A 25/2023 in O.A 996/2021</u></p> <p>Smt S.S Shinde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Mrs K.S Gaikwad, learned P.O 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 03.04.2023.</p> <p>4. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Private service is allowed. 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 in not filed three days before returnable date, the Original/Miscellaneous Application shall be placed on board before the concerned Benches under the caption 'for Dismissal' and thereafter on the subsequent date the Original/Miscellaneous Applications shall stand dismissed."</p> <p>8. S.O to 3.4.2023.</p> <p align="right">Sd/-</p> <p align="center">Sd/-</p> <p align="center">(Medha Gadgil) Member (A)</p> <p align="center">(Mridula Bhatkar, J.) Chairperson</p> <p align="center">Akn</p> <p align="right">[PTO.]</p>

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	<p><u>20.03.2023</u></p> <p align="center"><u>C.A 18/2023 in O.A 999/2021</u></p> <p>Shri A.R Bhagwat ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri S. Raktate, learned advocate for the applicant, Smt K.S Gaikwad, learned P.O for the Respondents no 1 & 2 and Shri M.D Lonkar, learned counsel for Respondent no. 3.</p> <p>2. Learned counsel for the applicant submits that as per the order of the Hon'ble High Court dated 27.2.2023 in W.P 2482/2023, four weeks' time was granted to comply with the order of this Tribunal, which will come to an end on 28.3.2023.</p> <p>3. Learned counsel for Respondent no. 3, Chief Executive Officer, Z.P, Thane, submits that he will submit the proposal within a couple of days.</p> <p>4. S.O to 5.4.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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Appearance, Tribunal's orders or
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Tribunal's orders

Date : 20.03.2023

O.A.No.988/2023

C.S. GaikwadApplicant
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Mr. C.T. Chandratre, learned Advocate for the Applicant and Ms. Archana B.K., learned Presenting Officer for the Respondents

2. Applicant retired on 31.05.2015 from the post of District Superintending Agriculture Officer and D.E. is initiated by charge-sheet dated 10.08.2017 i.e. after his retirement for the misconduct of 26.05.2010. However, he is not getting regular pension and gratuity since his retirement and he is getting only provisional pension.

3. Learned P.O. has submitted that the Department wants to file detail affidavit, especially, explaining the delay in maintainability of the charge-sheet.

4. Learned Advocate has submitted that the incident in the charge-sheet has taken place on 26.05.2010 and therefore, charge-sheet should have been filed and D.E. should have been initiated within four years i.e., by May 2014. However, the D.E. was not initiated. The applicant retired on 31.05.2015 and thereafter charge-sheet was issued on 10.08.2017.

5. Learned P.O. wants to explain this delay. Hence, she seeks time to file affidavit-in-reply.

6. Adjourned to 03.04.2023. Concern Respondents are directed to file affidavit-in-reply.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

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	<p><u>20.03.2023</u></p> <p align="center"><u>M.A 562/2022 in O.A 483/2021</u></p> <p>Shri A.F Murde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Smt Punam Mahajan, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that in this matter the pensionary benefits of the applicant are released subject to the outcome of the D.E.</p> <p>3. S.O to 25.3.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="right">Sd/- (Mridula Bhatkar, J.) Chairperson</p>

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

Tribunal's orders

Date : 20.03.2023

O.A.No.285/2023 with M.A.No.160/2023

S.D. ManeApplicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. M.D. Lonkar, learned Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents
2. Applicant was dismissed on 01.06.2021. O.A. is filed on 13.03.2023. M.A. is filed seeking condonation of delay of 281 days.
3. The office objections, if any, are to be removed and court fees to be paid, if not already paid.
4. Issue notice before admission returnable on 20.04.2023.
5. 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.
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. 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.
8. In case notice is not collected within seven days or service report on affidavit is not filed three days before returnable date, the Original Application shall be placed on board before the concerned Bench under the caption "for Dismissal" and thereafter on the subsequent date the Original Application shall stand dismissed.
9. Adjourned to 20.04.2023.

Sd/- / Sd/-
(Medha Gadgil) / (Mridula Bhatkar, J.)
Member (A) Chairperson

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	<p>Date: 20.03.2023</p> <p align="center">M.A. No.147 of 2023 in O.A. No.390 of 2022</p> <p>M.K. Waghela & Ors.,Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri N.N. Dixit, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed to implead Ms.Manali S. Ramgude (nee-Ms. Manali D. Chohan) as Respondent No.5 on the ground that she had also claimed compassionate appointment after death of Shri Naresh A. Waghela, Safi-kamgar who died on 16.01.2021.</p> <p>3. Applicant No.1 is seeking appointment in terms of recommendation of LAD Page Committee contending that he is nephew of deceased Shri Naresh A. Waghela. Whereas, it appears that deceased Shri Naresh A. Waghela has nominated Ms. Manali D. Chohan (niece) for the Appointment.</p> <p>4. In view of above, Ms. Manali S. Ramgude (nee-Ms. Manali D. Chohan) is necessary party and required to be impleaded as Respondent No.5.</p> <p>5. M.A. is accordingly allowed she be joined as Respondent No.5.</p> <p>6. Issue notice to newly added Respondent No.5 in O.A. No.390 of 2022 before admission returnable on 18.04.2023.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>7. 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>8. 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>9. 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>10. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed.</p> <p>11. S.O. to 18.04.2023.</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.

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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 : 17.03.2023</p> <p align="center">O.A.No.857 of 2021</p> <p>L. P. Gaikwad & Ors.Applicants Versus The State of Maharashtra & Ors. ...Respondents.</p> <p>1. Heard Smt. P. S. Jadhav, learned Counsel for the Applicants and Shri A. J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. The Applicants have challenged the order dated 31.01.2020 whereby claim of the Applicant No.2 for appointment in terms of recommendation of Lad & Page Committee has been rejected on the ground that they do not belong to Scheduled Caste as contemplated in G.R. dated 11.03.2016. The Applicant is wife and Applicant No.2 is son of Shri Parshuram Gaikwad who was Safai Kamgar on the establishment of Respondent No.3- Superintendent of Police, Yerwada, Pune. He retired on 31.05.2009 on attaining the age of 58 years. Thereafter, he died on 28.09.2010. The Applicant No.2 made an application for appointment as Safai Kamgar in terms of recommendations of Lad & Page Committee. However, it was rejected by impugned communication dated 30.01.2020 stating that as per G.R. dated 11.03.2016, the scheme is applicable to Schedule Caste - Safai Kamgar only. In impugned order, it is further stated that Parshuram Gaikwad was Hindu Takari falling in Nomadic Tribe -A community and not Scheduled Caste.</p> <p>3. When the matter is taken up for hearing, learned Counsel for the Applicant has pointed out that recently the Government through Social Justice and Special Assistance Department by G.R. dated 24.02.2023 revised the terms and conditions of the scheme for compassionate appointment and now it is applicable to all Safai Kamgar irrespective of caste. She has also tendered G.R. dated 24.02.2023. P.T.O.</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>4. Learned P.O. also fairly concedes that the terms and conditions of the scheme has been revised in terms of fresh G.R. dated 24.02.2023 and the conditions put forth in G.R. dated 11.03.2016 that the scheme is applicable only to Schedule Caste -Sweepers is taken away.</p> <p>5. The perusal of G.R. dated 24.02.2023 also reveals that this G.R. is issued in supersession of all GRs and Circulars issued by the Government in past.</p> <p>6. In view of above, learned Counsel for the Applicant sought permission to withdraw the O.A. with liberty to make fresh representation to the Respondent No.3 on the basis of G.R. dated 24.02.2023.</p> <p>7. Allowed to withdraw the O.A. with liberty to make representation afresh and the Respondent No.3 in terms of G.R. dated 24.02.2023 and if any such representation is made within a month from today, the Respondent No.3 shall decide it within six weeks from the date of receipt of representation and the decision be communicated to the Applicant.</p> <p>8. If the Applicant felt aggrieved, he may avail further legal remedy.</p> <p>9. No order as to costs.</p> <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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: 20.03.2023</p> <p align="center">M.A. No.02 of 2023 in O.A. No.1274 of 2022</p> <p>B.S. KapseApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.S. Dhannawat, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. Today matter is taken on board for permission to carry out amendment in terms of order passed by the Tribunal on 13.03.2023. That day permission was granted to add the Superintendent of Solapur (Rural) and Superintendent of Pune (Rural) as Respondent Nos.4 & 5 forthwith. However, learned Advocate did not carried out amendment that day. He therefore requested for permission to carry out the amendment today.</p> <p>3. Allowed to carry out amendment and it be carried out right now.</p> <p>4. S.O. to 10.04.2023 for Affidavit-in-Reply of newly added Respondents.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p>O.A. No.907 of 2022</p> <p>S.P. MalusareApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri R. Kale, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. On request of learned Advocate for the Applicant shortly adjourned for Final Hearing at the stage of admission.</p> <p>3. S.O. to 03.04.2023.</p> <p>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 _____

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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: 20.03.2023</p> <p align="center">M.A. No.138 of 2023 in O.A. No.350 of 2022</p> <p>Dr. R.H. PawarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri Prashant R. Suryawanshi, learned Advocate holding for Shri G.M. Savagave, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. This M.A. is filed for amendment in O.A.</p> <p>3. On 08.02.2023 the Tribunal permitted learned Advocate for the Applicant to make application for amendment claiming appropriate pleading in prayer clause and in pursuance to it now M.A. is filed.</p> <p>4. In O.A. Respondents have not filed Affidavit-in-Reply. In O.A. the Applicant has challenged impugned communication dated 19.11.2019 but now by way of amendment he claims certain more relief to substantiate his claim for Voluntary Retirement.</p> <p>5. Allowed to amend O.A. Amendment be carried out within a week.</p> <p>6. Two weeks time is granted to learned P.O. to file Affidavit-in-Reply in O.A. inclusion of amendment.</p> <p>7. S.O. to 03.04.2023.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p> <p align="right">[P.T.O.]</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

**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: 20.03.2023</p> <p align="center">O.A. No.278 of 2023</p> <p>R.K. BhosaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p>2. The Office has raised objections for not filing M.A. for delay condonation but it is not complied with.</p> <p>3. The perusal of record reveals that the Applicant made representation on 18.09.2020 in respect of compulsory waiting period and Medical Leave. However no decision is taken. O.A. has been filed on 13.03.2023. In fact O.A. ought to have been filed within a period of one year limitation after expiration of six month period of representation.</p> <p>4. Learned Advocate for the Applicant submits that she would file M.A. for condonation of delay.</p> <p>5. Two weeks time is granted to file M.A. for condonation of delay. After M.A. is filed O.A. be listed along with M.A. for further order. In default O.A. would stand dismissed in default without reference to the Tribunal.</p> <p align="right">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

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

Tribunal's orders

Date: 20.03.2023

M.A. No.143 of 2023 in O.A. No.251 of 2023

A.D. VeerApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri D.B. Khaire, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. The Applicant has filed M.A. for condonation of delay stating that there is delay of one year and three months for following O.A. which is apparently incorrect.

3. The Applicant is seeking Deemed Date of Promotion w.e.f. 01.06.2009. He stands retired as Superintending Engineer on 31.07.2014. According to the Applicant he was promoted on 22.08.2012 as seen from representation dated 30.11.2017. It is only after retirement he made representation on 30.11.2017 claiming Deemed date of Promotion. Indeed in representation he claimed Deemed Date of Promotion w.e.f. 13.10.2006. Whereas, in O.A. as per relief clause he is claiming Deemed Date of Promotion from 01.06.2009. Thus the O.A. ought to have filed within one year after expiration of six months of representation. However, it is filed on 01.03.2023, thus apparently delay is much more and not only one year and three months as shown in M.A.

4. When ^{these} particular aspects are brought to the notice of learned Advocate for the Applicant he sought permission to withdraw M.A. No.143/2023 with liberty to file fresh and correct M.A. showing correct period of limitation and delay period.

5. In view of above, permission granted to withdraw M.A. No.143/2023 with liberty to file fresh and correct M.A. within two weeks from today, if correct M.A. is filed within two weeks it be listed before Tribunal. In default matter be dismissed in default for non-compliance of the order without reference to the Tribunal.

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

NMN

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date : 20.03.2023</p> <p>O.A.Nos.16, 17, 29, 40, 42, 55, 64 & 81 of 2023 with O.A.Nos.52, 53, 54, 56 and 57 of 2023</p> <p>S. H. Ghuge & Ors. ...Applicants <i>M.M. Surve & Ors.</i></p> <p>Versus</p> <p>The State of Maharashtra & Ors. ...Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S. S. Dere and Shri A. V. Bandiwadekar, learned Counsels for the Applicants and Smt. Archana B. K., learned Presenting Officer for the Respondents. 2. Today, learned P.O. has filed reply on behalf of the Respondent No.1- C.P. Mumbai as a common reply in all OAs. It is taken on record and paginated in O.A.No.16/2023. 3. When all these Original Applications are taken up for hearing, it is noticed that in O.A.No.16/2023, 17/2023, 29/2023, 40/2023, 42/2023, 55/2023, 64/2023 and 81/2023, the counter part of C. P. Mumbai has already given NOC and those are on record. 4. Whereas in O.A.Nos.52/2023, 53/2023, 54/2023, 56/2023 and 57/2023, the NOC was valid up to certain deadline which has already gone. Therefore, learned P.O. is directed to take instructions from those concerned Head of the Departments of the Police as to whether vacancy still exists so as to accommodate the applicants from these OAs by tomorrow so that this group of O.As can be disposed of with O.A.No.16/2023 and others as referred to above. 5. S.O. to 21.03.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member(J)</p> <p>vsm</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.222 of 2017</u></p> <p>N.G. Pawaskar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 & 2 and Shri M.D. Lonkar, learned Advocate for Respondent No.5.</p> <p>2. The applicant has applied in Open Female category for the post of Scientific Officer, Group-B. This Tribunal has passed interim order dated 17.3.2017 and directed the respondents not to appoint respondent no.5 against Open Female category till final disposal of this OA. In this OA respondents no.3, 4 & 5 are private respondents against whom applicant seeks relief. The case of respondents no.3 & 4 appears to be considered at interim stage and Ld. Advocate for the applicant has sought relief against respondent no.5 and the Tribunal has granted relief at that time. Hence, one post of Scientific Officer is kept vacant. We want to know why applicant is not appointed on the post for Open Female category as respondent no.5 was given appointment by order dated 27.8.2017 in Open category. The respondent no.5 had filed OA No.356/2017 and the same was disposed off by order dated 18.9.2017.</p> <p>3. Ld. Advocate for the applicant submits that in view of the facts and orders produced before this Tribunal by the Ld. Advocate for respondent no.5-Smt. Kavita N. Naik, the applicant does not want to proceed against respondent no.5 and hence her name be deleted.</p> <p>4. In view of the above, Respondent No.5 is deleted from the array of respondents.</p> <p>5. Ld. PO submits that because of Assembly Session no officer is present. We accept this explanation for non-assistance and adjourned the matter to 27.3.2023.</p> <p>6. All the concerned officer of the respondents shall remain present in the Court on 27.3.2023 at 10.30 a.m.</p> <p style="text-align: center;">Sd/- Sd/-</p> <p style="text-align: center;">(Medha Gadgil) / (Mridula Bhatkar, J.) Member (A) Chairperson 20.3.2023 20.3.2023</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>17.03.2023</u></p> <p align="center"><u>O.A 1043/2021</u></p> <p>Shri A.S Jaiswal ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri O.M Lonkar, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned C.P.O submits that the file is received from the office of the Dy Chief Minister and is pending with the General Administration Department.</p> <p>3. S.O to 31.3.2023.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) Akn</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</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.570 of 2017</u></p> <p>B.G. Kingare & 20 Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri M.D. Lonkar, learned Advocate for the Applicants, Smt. K.S. Gaikwad, learned Presenting Officer for Respondents No.1 to 5 and Shri K.R. Jagdale, learned Advocate for Respondents No.6 and 6-A.</p> <p>2. Ld. Advocate for the applicants submits that today he is filing affidavit in sur-sur-rejoinder.</p> <p>3. Ld. Advocate for private respondents seeks time.</p> <p>4. S.O. to 3.4.2023. Part heard.</p> <p align="center"> Sd/- (Medha Gadgil) Member (A) 20.3.2023 (sg) </p> <p align="center"> Sd/- (Mridula Bhatkar, J.) Chairperson 20.3.2023 </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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. No267 of 2016</u></p> <p>Dr. S.M. Nilange & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Smt. Punam Mahajan, Ld. Advocate for the applicants and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Ld. PO submits that nobody has come from the Finance Department, may be on account of Assembly Session. He makes a statement that proposal for regularization of Medical Officers has been sent to the Finance Department and some queries were raised.</p> <p>3. This matter pertains to the year 2016 and hence we give priority. This matter was already notified on 6.2.2023 and on the last occasion this Tribunal has directed that responsible officer from GAD and Finance Department should remain present on the next date. However, none is present today, may be on account of Assembly Session. However, matter is fixed for hearing since last few dates. The order dated 12.10.2022 shows that GAD has refused the claim of the applicants.</p> <p>4. Ld. Advocate for the applicants prays one week's accommodation.</p> <p>5. We direct that higher officers of GAD and Finance Department to remain present and if they are not present, we will proceed with the matter.</p> <p>6. S.O. to 27.3.2023. Part heard.</p> <p align="center">Sd/- " Sd/- ></p> <p align="center">(Medha Gadgil) (Mridula Bhatkar, J.) Member (A) Chairperson 20.3.2023 20.3.2023</p> <p>(sgj)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p>O.A. No.180 of 2023</p> <p>M.V. SakpalApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri P. Padmanabh & Assoc., learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order passed by S.D.O. on 11.07.2022 whereby he is terminated from the post of Police Patil and ^{also} along with challenged order passed by appellate authority on 11.01.2023 confirming the order passed by S.D.O. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 17.04.2023. 5. 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. 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. 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. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 17.04.2023. <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(A.P. Kurhekar) Member (J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p style="text-align: center;">O.A. No.297 of 2023</p> <p>S.V. DesaiApplicant 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 Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order dated 30.11.2022 whereby benefit of 1st Time Bound Promotion was cancelled and pay has been revised. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 17.04.2023. 5. 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. 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. 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. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 17.04.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p data-bbox="776 705 1003 736">Date: 20.03.2023</p> <p data-bbox="852 775 1433 814">M.A. No.563 of 2022 in O.A. No.889 of 2022</p> <p data-bbox="776 852 1511 973">P.N. JadhavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p data-bbox="781 1051 1516 1179">1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.</p> <p data-bbox="781 1226 1521 1445">2. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder in M.A. as well as O.A. It is taken on record. As per order passed by Tribunal earlier M.A. and O.A. are to be heard together and it be kept for hearing.</p> <p data-bbox="787 1501 1133 1532">3. S.O. to 10.04.2023.</p> <p data-bbox="1252 1566 1317 1604">Sd/-</p> <p data-bbox="1179 1658 1385 1728">(A.P. Kurhekar) Member (J)</p> <p data-bbox="792 1780 841 1805">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p style="text-align: center;">O.A. No.277 of 2023</p> <p>K.R. DhumalApplicant 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 Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents. 2. The Applicant has challenged suspension order dated 05¹⁵.07.2022 whereby he is shown suspended by way of Deemed suspension w.e.f. 05⁰⁵.07.2022 in view of his arrest and detention in custody for more than 48 hours. The Applicant prayed for reinstatement in service on the ground of prolong suspension. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 17.04.2023. 5. 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. 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. 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. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "for Dismissal" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 17.04.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: left;">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p style="text-align: center;">O.A. No.267 of 2023</p> <p>S.G. AherApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri S.S. Deokar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged order dated 01.09.2022 whereby his services are shown to be availed in the Office of Transport Commissioner, Mumbai temporarily till further order on administrative ground. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 17.04.2023. 5. 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. 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. 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. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 17.04.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p>NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p style="text-align: center;">O.A. No.247 of 2023</p> <p>R.T. GaikwadApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged suspension order dated 09.05.2022 whereby he is suspended in view of registration of crime under the provision of Prevention of Corruption Act, 1988 mainly on the ground of prolong suspension. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 17.04.2023. 5. 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. 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. 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. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 17.04.2023. <p style="text-align: right;">Sd/- (A.P. Kurhekar) Member (J)</p> <p style="text-align: left;">NMN</p>

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.03.2023</p> <p style="text-align: center;">O.A. No.246 of 2023</p> <p>K.B. YadavApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri Ganesh Masurkar, learned Advocate holding for Shri C.T. Chandratre, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. The Applicant has challenged suspension order dated 14.06.2022 whereby he is suspended in view of registration of crime under the provision of prevention of Corruption Act mainly on the ground of prolong suspension. 3. The office objections, if any, are to be removed and court fees to be paid, if not already paid. 4. Issue notice before admission returnable on 17.04.2023. 5. 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. 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. 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. 8. In case notice is not collected within <u>seven</u> days or service report on affidavit is not filed <u>three</u> days before returnable date, the Original / Miscellaneous Applications shall be placed on board before the concerned Benches under the caption "<u>for Dismissal</u>" and thereafter on the subsequent date the Original / Miscellaneous Applications shall stand dismissed. 9. S.O. to 17.04.2023. <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 _____

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: 20.03.2023</p> <p align="center">O.A. No.1156 of 2022 with O.A. No.1157 of 2022</p> <p>D.V. SuradkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougale, learned Presenting Officer for the Respondents.</p> <p>2. Respondents have already filed Affidavit-in-Reply in O.A. No.1156/2022. Rejoinder is also filed by the Applicant.</p> <p>3. However, sofaras O.A. No.1157/2022 is concerned though enough time is granted no Reply is filed. On previous date last chance was granted but not complied with.</p> <p>4. Hence, I am not inclined to grant further time. O.A. No.1157/2022 shall proceed without Reply and be kept along with O.A. No.1156/2022 for Final Hearing.</p> <p>5. S.O. to 10.04.2023.</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: 20.03.2023</p> <p align="center">O.A. No.49 of 2023</p> <p>B.S. LambhateApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, 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 to file Affidavit-in-Reply.</p> <p>3. S.O. to 03.04.2023.</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: 20.03.2023</p> <p align="center">O.A. No.68 of 2023</p> <p>Dr. V.P. KaleApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents and Smt. Punam Mahajan, learned Advocate for Respondent No.2.</p> <p>2. Today learned Advocate for Respondent No.2 has filed Affidavit-in-Reply. It is taken on record.</p> <p>3. As requested by learned Advocate for the Applicant three days time is granted to file common Rejoinder.</p> <p>4. S.O. 24.03.2023.</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: 20.03.2023</p> <p align="center">O.A. No.78 of 2023</p> <p>B.L. ShelarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Enough time is granted to file Affidavit-in-Reply but the same is not filed. Hence, I am not inclined to grant further time. O.A. to proceed without Reply and be kept for hearing.</p> <p>3. S.O. to 11.04.2023.</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: 20.03.2023</p> <p align="center">O.A. No.122 of 2023</p> <p>C.S. SangamathApplicant 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. On request of learned Advocate for the Applicant one day time is granted to file Rejoinder.</p> <p>3. O.A. be kept for tomorrow since he requested to expedite the matter.</p> <p>4. S.O. to 21.03.2023.</p> <p align="right">Sd/- v (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: 20.03.2023</p> <p align="center">O.A. No.137 of 2023</p> <p>S.T. GhusarApplicant 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. On request of learned P.O. one week time is granted to file Affidavit-in-Reply by way of last chance.</p> <p>3. S.O. to 27.03.2023.</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: 20.03.2023</p> <p align="center">O.A. No.479 of 2020</p> <p>K.P. SalunkheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.</p> <p>2. Learned P.O. sought short adjournment on the ground that Government servants are on strike and therefore concerned persons are unable to remain present for hearing.</p> <p>3. S.O. to 27.03.2023.</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: 20.03.2023</p> <p align="center">O.A. No.235 of 2022</p> <p>R.P. Patil & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Ms. Pooja Mankoji, learned Advocate holding for Shri M.V. Thorat, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. Today matter is for filing Affidavit-in-Reply on behalf of MPSC but not filed. On 15.03.2023 Tribunal has passed specific order that no further time will be granted to file Affidavit-in-Reply. Thus, MPSC seems not serious in filing Affidavit-in-Reply. Therefore matter to proceed without Affidavit-in-Reply of MPSC.</p> <p>3. O.A. be kept tomorrow for completing final submission since matter was already heard partly.</p> <p>4. S.O. to 21.03.2023.</p> <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: 20.03.2023</p> <p align="center">O.A. No.844 of 2021 with O.A. No.433 of 2022</p> <p>C.S. LokhandeApplicant 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. Today learned Advocate for the Applicant has filed Affidavit-in-Rejoinder. It is taken on record.</p> <p>3. On request of learned P.O. O.A is adjourned for Final Hearing.</p> <p>4. S.O. to 05.04.2023.</p> <p align="right">Sd/- <small>✓</small> (A.P. Kurhekar) Member (J)</p> <p align="center">NMN</p>