

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

A/C.A. No.

of 20

IN

Application No.

of 20

FARAD CONTINUATION SHEET NO.

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

Tribunal's orders

Date: 20.06.2024

O.A. No.1407 of 2023

Dr. L.G. Bhalshankar

.....Applicant

Versus

The State of Maharashtra & Ors.

.....Respondents.

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

2. Learned P.O. presents 'Short Affidavit-in-Reply' dated 26.02.2024 alongwith 'File Notings' of 'Public Health Department' which shows that proposal in respect of Applicant and 12 'Medical Officers – Group 'A' for 'Modification / Change' of earlier 'Transfers Orders' had been submitted based on recommendations made by 'C.S.B.' for due consideration of 'Competent Transferring Authority' and next 'Superior Transferring Authority'.

3. Learned P.O. based on 'File Notings' of 'Public Health Department' annexed to 'Short Affidavit-in-Reply' dated 26.02.2024 further states that 'Competent Transferring Authority' had agreed with recommendations made by 'C.S.B.' for 'Modification / Change' of earlier 'Transfer Orders' of Applicant & 12 'Medical Officers - Group 'A''; but, next 'Superior Transferring Authority' had directed that 'Modifications / Changes' to earlier 'Transfer Orders' need not to be considered at this stage; but instead in respect of those who are eligible for transfers appropriate action be taken during 'General Transfer : 2024'.

Office Notes, Office Memoranda of Coram,
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4. Learned P.O. thereupon states that Applicant was already transferred from post of 'Medical Officer, Primary Health Centre, Talegaon, Tahsil Dindori, District Nashik' during 'General Transfers : 2023'. The Applicant by 'Transfer Order' dated 10.06.2023 of 'Public Health Department' had been posted as 'Medical Officer, Primary Health Centre, Nanashi, Tahsil Dindori, District Nashik'. Therefore request of Applicant for 'One Year Extension' on post of 'Medical Officer, Primary Health Centre, Talegaon, Tahsil Dindori, District Nashik' has got automatically considered on account of 'Interim Relief' granted on 02.11.2023. Hence, Applicant must now join on post of 'Medical Officer, Primary Health Centre, Nanashi, Tahsil Dindori, District Nashik'.

5. Learned Advocate for Applicant contends that as per directions in 'File Notings' of 'Public Health Department' given by next 'Superior Transferring Authority'; the cases of Applicant & 12 'Medical Officer - Group 'A'' are required to be submitted afresh to 'C.S.B.'; as part of exercise for 'General Transfer : 2024' of 'Medical Officers - Group 'A''.

6. Learned Advocate of Applicant emphasizes that Applicant who has worked for more than 25 years in 'Tribal and Remote Areas' of 'Nashik District' should be given liberty to make fresh representation to 'Additional Chief Secretary, Public Health Department' to exercise her entitlement about choice of new posting subsequent to transfer from post of 'Medical Officer, Primary Health Centre, Talegaon, Tahsil Dindori, District Nashik' as per G.A.D. Circular dated 23.02.2024 which has been recently issued in observance directions given in O.A. No.818/2023 on 02.11.2023.

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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R.A./C.A. No.

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Notes, Office Memoranda of Coram,
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7. The 'Interim Relief' thus to continue till 'Next Date'. However in view of directions given in 'File Noting' of 'Public Health Department' by next 'Superior Transferring Authority' to reconsider transfer of Applicant and 12 'Medical Officers – Group 'A''; if they are so eligible during 'General Transfer : 2024', it is specifically observed that there will be no impediment on account of 'Interim Relief' to act as per directions in 'File Notings' respect of Applicant & '12 Medical Officers – Group A'.

8. The 'Public Health Department' can therefore issue 'Transfer Order' of new 'Medical Officer, Primary Health Centre, Talegaon, Tahsil Dindori, District Nashik' in place of Applicant, but alongwith it must also issue 'Transfer Order' of Applicant based on due consideration of fresh representation if made by her within 'Two Weeks' giving choice of new posting as per G.A.D. Circular dated 23.02.2024. The above exercise is expected to be completed during 'General Transfer 2024' by Public Health Department.

9. S.O. to 18.07.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

NMN

**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: 20.06.2024..)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	O.A. No.730 of 2024 Tribunal's orders
	<p>S.V. HitareApplicant</p> <p>Versus</p> <p>The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri S.S. Dere, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant states that Applicant who was serving on post of 'Co-operative Officer', 'Grade – II' in office of 'Deputy Registrar; Co-operative Societies Dombivli, District Thane' was transferred to post of 'Assistant Registrar, Co-operative Societies, Ulhasnagar, District Thane' by 'Memorandum' dated 10.05.2024 of 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai'.</p> <p>3. Learned Advocate for Applicant then draws attention to contents of letter dated 16.04.2024 of 'Deputy Registrar (Administration)' in office 'Registrar of Co-operative Societies & Commissioner Co-operation, Maharashtra State, Pune' addressed to 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai' which conveys that if Applicant is required to be transferred, then in order to exercise 'Statutory Powers' under 'Section 4(4)(ii)' and 'Section 4(5)' appropriate proposal be submitted; but if due to restrictions relating to 'General Election Lok Sabha : 2024' this does not become possible; then services of Applicant be attached temporarily to any other office by issuing 'Memorandum' at level of 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai'.</p> <p>4. Learned P.O. states that further information will be obtained how 'Memorandum' dated 10.05.2024 came to be issued by 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai'.</p>

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

5. Learned P.O. emphasized that Applicant has certainly not been transferred from post of post of 'Co-operative Officer', 'Grade - II' in office of 'Deputy Registrar; Co-operative Societies Dombivli, District Thane'; but only her services have been temporarily attached to post of 'Assistant Registrar, Co-operative Societies, Ulhasnagar, District Thane'.

6. The 'Memorandum' dated 10.05.2024 in respect of Applicant came to be issued by 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai' undoubtedly as per directions in letter written by 'Deputy Registrar (Administration)' in office of 'Registrar of Co-operative Societies & Commissioner of Co-operation, Maharashtra State, Pune' on 16.04.2024 which also has reference to earlier letter written by 'Deputy Registrar, Co-operative Societies Dombivli, District Thane' on 13.11.2023 regarding Applicant. Notwithstanding contents of this earlier letter which had proposed transfer of Applicant from post of 'Co-operative Officer', 'Grade - II' in office of 'Deputy Registrar, Co-operative Societies Dombivli, District Thane' it is now imperative to ascertain what where the immediate reasons which made it necessary for 'Deputy Registrar (Administration) in office of 'Registrar of Co-operative Societies & Commissioner of Co-operation, Maharashtra State, Pune' to take cognizance of the earlier letter and belatedly convey on 16.04.2024 to 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai' that services of Applicant be temporarily attached to any other office by issuing Memorandum'.

7. The letter of 'Deputy Registrar (Administration) in office of 'Registrar of Co-operative Societies & Commissioner of Co-operation, Maharashtra State, Pune' dated 16.04.2024 is rather ambiguous as it suggests an 'ad-interim' option of temporary attachment of services of Applicant which was acted upon by 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai' by issuing 'Memorandum' on 10.05.2024. Therefore it is necessary to ascertain whether powers to give such impromptu directions for temporary attachment of services of 'Cooperative Officers Grade - II' have been vested with 'Deputy Registrar (Administration)' in office of 'Registrar of Co-operative Societies & Commissioner of Co-operation, Maharashtra State, Pune' because even 'Memorandum' which is issued on 10.05.2024 by 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai' was required to rely upon provisions of 'Maharashtra Civil Services (Conduct) Rules,

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MUMBAI**

Original Application No.

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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>1979 or some 'G.Rs.' / 'Circulars' of the GAD or 'Co-operative Department'.</p> <p>8. The prayers for grant of 'Interim Relief' to Applicant will be considered on 'Next Date' after requisite information as per observations above regarding 'Memorandum' dated 10.05.2024 is received from 'Divisional Joint Registrar, Co-operative Societies, Konkan Division, Navi Mumbai'.</p> <p>9. The office objections, 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 11.07.2024.</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> <p>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.</p> <p>14. 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.</p> <p>15. S.O. to 11.07.2024.</p> <p style="text-align: right;">sd/- (Debashish Chakrabarty) Member (A)</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: 20.06.2024</p> <p style="text-align: center;">O.A. No.413 of 2024</p> <p>C.S. SalunkheApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents.</p> <p>2. Learned PO states that no instructions have been received from office of 'Joint Director, Vocational Education and Training, Pune'.</p> <p>3. Learned PO refers to 'Affidavit-in-Reply' dated 03.05.2024 filed by 'Joint Director, Vocational Education and Training, Pune' wherein its has been stated that transfers of employees in diverse cadre of 'Craft Instructors' are always done as per their respective allotted trades and thus 'Craft Instructor (Dress Making)' are always transferred on posts of 'Craft Instructors (Dress Making)'; while 'Craft Instructors (Cutting and Sewing)' are always transferred to posts of 'Craft Inspectors (Cutting and Sewing)'.</p> <p>4. Learned PO then replied to contention raised by Applicant that Smt. Vaishali Ingwale was transferred to post of 'Craft Instructor (Dress Making)' at 'I.T.I., Aundh, Tahsil Haveli, District Pune' to clarify that she had been initially appointed to post of 'Craft Instructor (Cutting and Sewing)'.</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

5. Learned PO on query further states that post of 'Craft Inspector (Dress Making)' is not likely to be available at 'I.T.I., Aundh, Tahsil Havelli, District Pune' during 'General Transfer : 2024'.

6. The cases of Applicant and Wife were sympathetically handled by 'Joint Director, Vocational Education and Training, Pune' and therefore on 31.05.2023 they were transferred together to posts of 'Craft Instructor (Turner)' and 'Crafts Inspector (Dress Making)' at 'I.T.I., Rajguru Nagar, Tahsil Khed, District Pune'.

7. The 'Joint Director, Vocational Education and Training, Pune' as is evident had given compassionate consideration to the fact that both 'Wife' and 'Son' of Applicant are suffering from 'Mental Illnesses'; and so also his 'Old Mother'; because Applicant had on 25.04.2023 requested 'Joint Director, Vocational Education and Training, Pune' in this regard by specifically mentioning about these 'Personal Hardships'.

8. The extent of 'Personal Hardships' of Applicant have not changed since 31.05.2023 to justify 'Mid Term' and 'Mid Tenure' transfer of Applicant alone to post of 'Craft Instructor (Turner)' at 'I.T.I., Aundh, Tahsil Haveli, District Pune'. The 'Transfer Order' dated 12.01.2024 of 'Joint Director of Vocational Education and Training, Pune' has inequitably undone earlier compliance made of 'Policy Guidelines' in GAD GR dated 09.04.2018 for 'Husband' and 'Wife' to be posted together when both 'Applicant' and Wife had been be transferred together on 31.05.2023 to 'I.T.I., Rajguru Nagar, Tahsil Khed, District Pune' by 'Joint Director, Vocational Education and Training, Pune'.

9. The 'Joint Director, Vocational Education and Training, Pune' hence directed to immediately review 'Transfer Order' dated 12.01.2024 by which Applicant alone has been transferred 'Mid Term & Mid Tenure' to post of 'Craft Instructor (Turner)' at 'I.T.I., Aundh, Tahsil Haveli, District Pune'; on grounds of persistence of 'Personal Hardships' of Applicant in respect of his 'Wife' and 'Son' and 'Old Mother' who all are suffering from 'Mental Illnesses'.

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10. The 'Joint Director, Vocational Education and Training, Pune' is directed not to side step 'Policy Guidelines' regarding 'Husband' and 'Wife' to be posted together as per GAD GR dated 09.04.2018 by citing any casual reasons and issue 'Transfer Order' of Applicant within 'Two Weeks' to earlier post of 'Craft Instructor (Turner)' at 'I.T.I., Rajguru Nagar, Tahsil Khed, District Pune'.

11. The 'Joint Director, Vocational Education and Training, Pune' consequently also informed to transfer 'Respondent No.2' in place of Applicant on post of 'Crafts Inspector (Turner)' at 'I.T.I., Aundh, Tahsil Haveli, District Pune'.

12. S.O. to 18.07.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

AGR

**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: 20.06.2024</p> <p>O.A. No.1465 of 2023</p> <p>S.S. Jathure & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondent No.1., Smt. Kranti Gaikwad, learned Presenting Officer for Respondent No.2</p> <p>2. Learned PO based on information received from Senior Officer present on behalf of 'Additional DGP & Director Wireless and Transport, Maharashtra State, Pune' states that action as per directions given in 'Para 4' of Order dated 10.04.2024 has been taken to ascertain if it would be possible to take on 'Contract Basis' some 'Security Personnel' from amongst 'Ex Servicemen' who may have acquired 'Basic Training' in 'Wireless Operations' while serving in 'Indian Army' and are registered with 'Maharashtra State Security Corporation' (MSSC) for temporary deployment on 'Vacant Posts' of 'Police Head Constable - 'Wireless Operators' in Greater Mumbai.</p> <p>3. Learned PO based on information given by Senior Officers present on behalf of 'Additional DGP & Director Wireless and Transport, Maharashtra State, Pune' further states that such 'Security Personnel' are not registered with 'Maharashtra State Security Corporation' (MSSC). Therefore; 'Additional DGP & Director Wireless and Transport, Maharashtra State, Pune' has forthwith initiated action to explore if 'Police</p>

Office Notes, Office Memoranda of Coram,
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Head Constables - Wireless Operators' who are now serving outside 'Greater Mumbai' would be willingness to be transferred to 'Greater Mumbai' to serve on establishment of 'DCP PC & IT, South Zone, Mumbai'.

4. Learned PO upon query and based on additional information provided by Senior Officer present on behalf of 'Additional DGP & Director Wireless and Transport, Maharashtra State, Pune' mentions that this ongoing exercise is expected to be completed in about 'Four Weeks' and thereafter it will be exactly known how many 'Police Head Constables - Wireless Operators' now serving outside Greater Mumbai have consented to be transferred to 'Greater Mumbai' to serve on establishment of 'DCP PC & IT, South Zone, Mumbai'.

5. S.O. to 18.07.2024

Sd/-

(Debashish Chakrabarty)
Member (A)

AGR

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

Tribunal's orders

Date: 20.06.2024

O.A. No.382 of 2024

Dr. S.S. ThakurApplicant
Versus
The State of Maharashtra & Ors.Respondents.

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

2. Learned Advocate for Applicant states that by Government Order dated 12.06.2024 of 'Medical Education & Drugs Department' Applicant has now been posted as 'Dean' of 'VM Government Medical College, Solapur'; which also is in belated compliance of Judgment dated 07.12.2023 of Hon'ble Bombay High Court in Writ Petition No.13930 of 2023.

3. Learned Advocate for Applicant states that other grievance of Applicant is about regularization of 'Compulsory Waiting' period from 10.11.2023 upto 12.06.2024, after he was relieved from post of 'Dean' of 'BJ Government Medical College, Pune'.

4. The Applicant has since joined on post of 'Dean' of 'VM Government Medical College, Solapur' as per Government Order dated 12.06.2024 of Medical Education & Drugs Department. Hence his period of 'Compulsory Waiting' from 10.11.2023 to 12.06.2024 needs to be decided at the earliest by Medical Education & Drugs Department.

5. The Applicant is informed to submit representation within 'Two Week' to Medical Education & Drugs Department for regularization of 'Compulsory Waiting' period from 10.11.2023 to 12.06.2024. Thereupon it should be decided within next 'Two Weeks' by 'Medical Education & Drugs Department'.

6. The O.A. No. 382/2024 is accordingly disposed off. No Order as to Cost.

Sd/-

(Debashish Chakrabarty)
Member (A)

**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: 20.06.2024</p> <p align="center">O.A. No.538 of 2024</p> <p>Y.R. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant files 'Affidavit-in-Rejoinder' on 20.06.2024. It is taken on record.</p> <p>3. Learned Advocate for Applicant states that Applicant cannot now be directed to join on post of 'Secondary School Teacher at 'Government Ashram School, Tava, Tahsil Dahanu, District Palghar' as per 'Transfer Order' dated 31.05.2023 of 'Additional Commissioner; Tribal Development, Thane'.</p> <p>4. Learned Advocate for Applicant further states as per 'Interim Relief' granted on 18.04.2024 the Applicant had been permitted to continue on post of 'Secondary School Teacher' at 'Government Ashram School, Nayhale, Tahsil Jawahar, District Palghar' till completion of 'General Election Lok Sabha : 2024' and thus 'Interim Relief' be continued further till completion of ongoing 'Fact Finding Enquiry' instituted by 'Additional Commissioner; Tribal Development, Thane'.</p>

Office Notes, Office Memoranda of Coram,
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Tribunal's orders

5. Learned PO based on information from officer present on behalf of 'Additional Commissioner, Tribal Development, Thane' states that Applicant has already been relieved on 22.05.2024 by 'Head Master' of 'Government Ashram School, Nayhale, Tahsil Jawahar, District Palghar'; so he should forthwith join on post of 'Secondary School Teacher' at 'Government Ashram School, Tava, Taluka Dahanu, District Palghar' as per 'Transfer Order' dated 31.05.2023 of 'Additional Commissioner; Tribal Development, Thane'.

6. The 'Additional Commissioner, Tribal Development, Thane' can be expected to ensure time bound completion of 'Fact Finding Enquiry' about issues observed in 'Para 7' and 'Para 8' Order dated 18.04.2024 to unravel real reasons behind belated implementation of Transfer Order dated 31.05.2023 of Applicant. However, in all fairness upon completion of 'Fact Finding Enquiry' the Applicant must be provided with an opportunity of 'Personal Hearing' to present his side to 'Additional Commissioner, Tribal Development, Thane'.

7. The Applicant meanwhile but subject to outcomes of 'Fact Finding Enquiry' instituted by 'Additional Commissioner, Tribal Development, Thane' to join on post of 'Secondary School Teacher' at Government Ashram School Tava, Tahsil Dahanu, District Palghar'.

8. The 'Additional Commissioner, Tribal Development, Thane' to file 'Affidavit-in-Reply' regarding findings of 'Fact Finding Enquiry' and conclusions arrived at within period of 'Four Weeks'.

9. S.O. to 18.07.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

**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: 20.06.2024</p> <p>O.A. No.271 of 2024</p> <p>P.D. Bhandare & Ors.Applicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant states that in observance of directions in 'Para 5' and 'Para 6' of Order dated 17.04.2024, all Applicants have been relieved from posts of 'Police Constable – Driver' and allowed to join back on posts of regular 'Police Constables'; as per 'Police Notice' published on 15.06.2024 by 'Commissioner of Police, Navi Mumbai'.</p> <p>3. The grievances of all 7 Applicants now stand redressed and hence O.A. No. 271/2024 is disposed off. No Order as to Costs.</p> <p style="text-align: right;">Sd/- (Debashish Chakrabarty) Member (A)</p> <p>AGR</p>

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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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: 20.06.2024</p> <p style="text-align: center;">O.A. No.256 of 2024</p> <p>N.P. GholapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. Archana B.K., learned Presenting Officer for Respondents.</p> <p>2. Learned Advocate for Applicant states that Applicant has joined on post of 'B.D.O.' Panchayat Samiti, Shirol, District Kolhapur' on 02.05.2024.</p> <p>3. Learned Advocate for Applicant thereupon states that Applicant does not want to pursue further with challenge to Order dated 23.02.2024 of Rural Development Department by which he was transferred from post of 'B.D.O., Panchayat Samiti; Wai; District Satara' ostensibly for implementation of directions in Election Commission of India letter dated 21.12.2023.</p> <p>4. The Applicant does not want to pursue O.A. No. 256 of 2024 having joined as 'B.D.O.' Panchayat Samiti, Shirol, District Kolhapur' on 02.05.2024. This O.A. No. 256 of 2024 is accordingly disposed off as withdrawn by Applicant. No Order as to Costs.</p> <div style="text-align: right; margin-top: 20px;"> <p>Sd/- (Debashish Chakrabarty) Member (A)</p> </div>
	AGR

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

Tribunal's orders

Date: 20.06.2024

O.A. No.321 of 2024

C.N. DhageApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for Respondents.
2. Learned PO files 'Short Affidavit-in-Reply' dated 04.06.2024 on behalf of 'Respondent No.3' and 'Respondent No.4'. It is taken on record.
3. Learned PO draws attention to contents of 'Short Affidavit-in-Reply' dated 04.06.2024 to affirm that Applicant who has retired on 30.04.2024 has now been released payment of Rs. 5,76,630/- toward pending 'Salary and Allowance' for period from December 2023 to February 2024; as per directions in 'Para 4' of Order dated 02.05.2024.
4. Learned PO based on information from officer present on behalf of 'Commissioner-cum-Director, Municipal Administration; Maharashtra State, Mumbai' further states that 'Pension Papers' of Applicant have also been prepared and will soon be submitted to office of 'Principal AG, Maharashtra State I; Mumbai'.
5. The principal grievance of Applicant has been redressed and his 'Pension Papers' have also been prepared by 'Commissioner-cum-Director, Municipal Commissioner, Maharashtra State, Mumbai'. Hence O.A. No. 321/2024 is disposed off. No Order as to Costs.

Sd/-
(Debashish Chakrabarty)
Member (A)

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

Tribunal's orders

O.A.483/2024

B.K. Gangawane ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri S.S. Dere, learned Advocate for Applicant, Ms. S.P. Manchekar, learned CPO for Respondents and Shri P.D. Patil, learned Advocate for Respondent No.10.

2. The learned Advocate for Respondent No.10 files Affidavit-in-Reply. It is taken on record.

3. Learned CPO and learned Advocate for Respondent No.10 relied on 'Section 59' of 'The Rights of Persons with Disabilities Act 2016'. 'Section 59' reads as under :-

"59. (1) Any person aggrieved with decision of the certifying authority, may appeal against such decision, within such time and in such manner as may be prescribed by the State Government, to such appellate authority as the State Government may designate for the purpose.

(2) On receipt of an appeal, the appellate authority shall decide the appeal in such manner as may be prescribed by the State Government."

4. In the present case, though there is a challenge to the Select List, the reliefs claimed by Applicant in Prayer Clause Nos.(a), (b), (c) and (d) based on re-verification or assessment of 'Disability Certificate'.

5. We direct that the concerned officer from Public Health Department to remain present, as we find there is anomaly in Section 59 of 'The Rights of Persons with Disabilities Act 2016' and Clauses (a) to (g) of GR dated 14.09.2018.

6. S.O. to 25th June, 2024.

SD/-
(Debashish Chakrabarty)
Member-A
20.06.2024

SD/-
(Mridula Bhatkar, J)
Chairperson
20.06.2024

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.06.2024</p> <p>O.A. No.1081 of 2023 with O.A. No.547 of 2024</p> <p>R.D. GhunkikarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri M.D. Lonkar, learned Advocate for Applicant and Shri A.J. Chougule, learned Presenting Officer for Respondents. 2. Learned P.O. presents 'Deputy Secretary, Revenue & Forest Department letter dated 20.06.2024' 3. Learned P.O. is thereupon informed that 'Deputy Secretary, Revenue & Forest Department' letter dated 20.06.2024' is just another feeble attempt to side step the central issue regarding production of 'General Order' or 'Special Order' issued under 'Rule 4(1)' of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979' by which all 'Deputy Conservators of Forests' like 'Respondent No.3' have been empowered to place officers from cadre of 'R.F.O.' under 'Suspension'. 4. Learned P.O. is further conveyed that much of contents which are incorporated in 'Deputy Secretary, Revenue & Forest Department' letter dated 20.06.2024' are done without 'Application of Mind' to appreciate essence of 'Rule 4(1)' of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979'. 5. The 'Deputy Secretary, Revenue & Forest Department letter dated 20.06.2024' only repeats earlier references to G.R. dated 01.01.2021 of 'Revenue and Forest Department' which are about certain authorities of 'Forest Department' who have been designated as 'Heads of Department' under 'Rule 9(22)' of 'Maharashtra Civil Services (General Conditions of Service), Rules, 1981' and designation of various authorities of 'Forest Department' as 'Heads of Department'; 'Regional Office Heads'; 'Office Heads' for specific purposes of 'Manual of Financial Powers : 1978'.

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

Tribunal's orders

6. The provisions of 'Rule 4(1)' of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979' cannot be interpreted in causal manner as has been done by 'Deputy Secretary, Revenue & Forest Department letter dated 20.06.2024' as any 'Other Authority' who exercises power to place officers from cadre of 'R.F.O.' under 'Suspension' must necessarily be empowered in that behalf by 'General Order' or 'Special Order'.

7. The 'Principal Secretary, Revenue & Forest Department' was given specific directions in 'Para 10' of the Order dated 13.06.2024. However with regret it must be observed that not much of what was expected to be done; upon better understanding of provisions of 'Rule 4(1)' of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979' has happened, but instead 'Deputy Secretary, Revenue & Forest Department' letter dated 20.06.2024' has been submitted to suggest that order of suspension of Applicant passed on 16.04.2024 by 'Deputy Conservator of Forest, Sawantwadi Forest Division, District Sindhudurg' was indeed in observance of provisions of 'Rule 4(1)' of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979'. Nonetheless; 'Deputy Secretary, Revenue and Forest Department' who has compiled letter of 20.06.2024 is given another chance to produce 'General Order' or 'Special Order' issued specifically under 'Rule 4(1)' of 'Maharashtra Civil Services (Discipline & Appeal) Rules, 1979' by which all 'Deputy Conservator of Forest' empowered to issue 'Suspension' orders of officers of cadre of 'R.F.O.'

8. The 'Deputy Secretary, Revenue and Forest Department' is also directed to forthwith bring these observations to knowledge of 'Principal Secretary, Revenue & Forest Department' and further informed to remain present on 25.06.2024.

9. S.O. to 25.06.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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Date: 20.06.2024

O.A. No.1256 of 2023

R.M. MujawarApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.
2. 'Interim Relief' to continue till 'Next Date'.
3. S.O. to 09.07.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

AGR

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: 20.06.2024</p> <p style="text-align: center;">O.A. No.253 of 2024 with O.A. No. 254 of 2024 with O.A. No. 255 of 2024 with O.A. No. 281 of 2024 with O.A. No. 356 of 2024 to O. A. No. 358 of 2024</p> <p>A.R. Jadhav Dr. S.B.A. Mokashi A.R. Waghmare K.P. Mane A.M. Kumbhar L.G. Gawade M.S. MadgulkarApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant, Shri K.R. Jagdale, learned Advocate for Applicant and Smt. K.S. Gaikwad and Shri A.J. Chougule, learned Presenting Officer for the Respondents. Shri S. S. Thorat, learned Advocate for Respondent No. 4 is not present in O.A. No. 281/2024.</p> <p>2. Learned Advocate for Applicant has filed 'Affidavit-in-Rejoinder' dated 18.06.2024 in O.A. No. 255/2024. It is taken on record.</p> <p>3. 'Interim Relief' to continue till Next Date in O.A. No.253/2024, O.A. No. 254/2024, O.A. No. 255/2024 with O.A. No. 356/2024 to O. A. No. 358/2024.</p> <p>4. S.O. to 08.07.2024.</p> <p style="text-align: right; margin-right: 20px;">Sd/- (Debashish Chakrabarty) Member (A)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20


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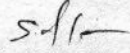
Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
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O.A.490/2024 (At Nagpur)

N.G. Ghayal ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Shri V.P. Ghayal, learned Advocate for Applicant and Shri S.A. Sainis, learned PO for Respondents at MAT Bench at Nagpur.
2. This matter is filed at Nagpur Bench of this Tribunal. It was filed during 'Vacation' at Mumbai.
3. Learned CPO informed that this OA 490/2024 appeared on today's Board at MAT Bench at Nagpur. So, Registry is directed to remove this matter from the Record of this Principal Bench.


(Debashish Chakrabarty)
Member-A
20.06.2024


(Mridula Bhatkar, J)
Chairperson
20.06.2024

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.227/2024</u></p> <p>M.A. Pawar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. Learned CPO submits that she has not yet received instructions and hence, she seeks time to file Affidavit-in-Reply. Time Granted.</p> <p>3. We direct Respondents to consider the case of Applicant in DPC by following Clause Nos.9 & 11 of G.R. dated 15.12.2017.</p> <p>4. S.O. to 11th July, 2024.</p> <p style="text-align: center;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

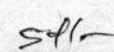
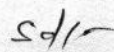
**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.224/2024</u></p> <p>G.P. Bhagat ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri B.A. Bandiwadekar, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. Learned CPO submits that she has not yet received instructions and hence, she seeks time to file Affidavit-in-Reply. Time Granted.</p> <p>3. We direct Respondents to consider the case of Applicant in DPC by following Clause Nos.9 & 11 of G.R. dated 15.12.2017.</p> <p>4. S.O. to 11th July, 2024.</p> <p style="text-align: center;"> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.198/2024</u></p> <p>S.B. More & Ors. ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Heard Shri S.S. Dere, learned Advocate for Applicants, Ms. S.P. Manchekar, learned CPO for Respondents and Shri M.D. Lonkar, learned Advocate for Respondent Nos.4 to 12.2. Shri M.D. Lonkar, learned Advocate for Resopndent Nos.4 to 12 files Affidavit-in-Reply. It is taken on record.3. The learned Advocate for Applicant does not want to file Rejoinder. Admit.4. The Advertisement was issued on 10.05.2023 for the post of Social Service Superintendent (Medical) and Select List was published on 02.02.2024. The names of 10 Applicants though they have cleared the Examination and meritorious, they were declared 'Not Eligible' on the basis of 'Educational Qualification'.5. The learned Advocate for Applicants submits that Applicant be held eligible for selection, as he is holding the specific 'Educational Qualification' in 'Social Science'.6. S.O. to 27th June, 2024 for hearing. <p style="text-align: center;"><i>Sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>Sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</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 style="text-align: center;"><u>O.A.494/2024</u></p> <p>K.S. Lanjekar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Ms. Purva Pradhan, learned Advocate holding for Shri D.B. Khaire, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. Applicant seeks appointment on the post of 'Scientific Officer (Cyber Crime, Tape Authentication and Speaker Identification)'.:</p> <p>3. The learned Advocate for Applicant submits that one Ms. Sayali R. Chavan is not given appointment on 13.03.2024. She has secured 62 marks and Applicant has secured 61 marks. As the appointment is not issued in favour of Sayali R. Chavan, the Applicant seeks appointment on the vacant post of 'Scientific Officer (Cyber Crime, Tape Authentication and Speaker Identification)' in SC Female Category.</p> <p>4. S.O. to 4th July, 2024 for filing Affidavit-in-Reply as 'Last Chance'.</p> <p style="text-align: right;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: right;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(slw)</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.737/2024</u></p> <p>A.T. Sakore ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none"> 1. Heard Shri Balasaheb Deshmukh, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents. 2. Learned PO to file 'File Noting' of Industry, Energy and Labour Department on next date. 3. The Respondents are directed to keep one post of 'Assistant Labour Commissioner, Group-A' vacant 4. Issue notice returnable on 27.06.2024. 5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued. 6. 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. 7. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988 and the questions such as limitation and alternate remedy are kept open. 8. 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. 9. 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. 10. S.O. to 27th June, 2024 under the caption of 'Urgent Admission'. <p style="text-align: center;">  (Debashish Chakrabarty) Member-A 20.06.2024  (Mridula Bhatkar, J) Chairperson 20.06.2024 </p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.433/2024</u></p> <p>P.U. Navdkar ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri K.N. Patil, learned Advocate for Applicant and Shri A.D. Gugale, learned PO for Respondents.</p> <p>2. S.O. to 11th July, 2024.</p> <p style="text-align: center;"><i>skw</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>Sad/</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.523/2024</u></p> <p>K.S. Anantkawalas ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Smt. Punam Mahajan, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. Learned PO submits that she has not yet received instructions and therefore, she seeks time to file Affidavit-in-Reply. Time Granted.</p> <p>3. S.O. to 4th July, 2024.</p> <p style="text-align: center;"><i>skw</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</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
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O.A.429/2024

B.A. Bahot ... Applicant
Vs.
The State of Mah. & Ors. ... Respondents

1. Heard Shri K.R. Jagdale, learned Advocate for Applicant and Smt. A.B. Kololgi, learned PO for Respondents.
2. Learned PO submits that she has just received instructions and therefore, she seeks time to file Affidavit-in-Reply. Time Granted.
3. S.O. to 18th July, 2024.

SKW
(Debashish Chakrabarty)
Member-A
20.06.2024

Sd/-
(Mridula Bhatkar, J)
Chairperson
20.06.2024

(skw)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.738/2024</u></p> <p>S.M. Patil ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri S.S. Dere, learned Advocate for Applicant and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. S.O. to 25th June, 2024 under the caption of 'Urgent Admission'.</p> <p style="text-align: center;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

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

Tribunal's orders

O.A.721/2024

M.P. Jagtap

... Applicant

Vs.

The State of Mah. & Ors.

... Respondents

1. Heard Shri B.A. Bandiwadekar, learned Advocate for Applicant and Shri D.R. Patil, learned PO for Respondents.

2. The Applicant challenges Charge-sheet dated 15.05.2012.

3. The learned PO produces Notice dated 14.06.2024. It is taken on record.

4. Issue notice returnable on 25.06.2024.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

6. 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.

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

8. 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.

9. 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.

10. S.O. to 25th June, 2024.

Sd/-
(Debashish Chakrabarty)
Member-A
20.06.2024

Sd/-
(Mridula Bhatkar, J)
Chairperson
20.06.2024

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.445/2024</u></p> <p>K.S. Devarpatil ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri S.S. Dere, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. S.O. to 24th June, 2024 under the caption of 'Urgent Admission'.</p> <p style="text-align: center;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.548/2024</u></p> <p>N.V. Bodhe ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri S.S. Dere, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. Learned PO seeks time to file Affidavit-in-Reply. Time Granted.</p> <p>3. S.O. to 11th July, 2024.</p> <p style="text-align: center;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.558/2024</u></p> <p>P.R. Ghorpade ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri K.R. Upasani, learned Advocate for Applicant and Smt. K.S. Gaikwad, learned PO for Respondents.</p> <p>2. Learned PO seeks time to file Affidavit-in-Reply. Time Granted.</p> <p>3. S.O. to 10th July, 2024.</p> <p style="text-align: center;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</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 style="text-align: center;"><u>O.A.591/2024</u></p> <p>J.S. Toke ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard ShriS.N. Katkar, learned Advocate holding for Shri S.S. Raktate, learned Advocate for Applicant and Smt. A.B. Kololgi, learned PO for Respondents.</p> <p>2. Learned PO on instructions submits that 'Running Test' of Candidates from 'PESA Category' is not conducted till today. She submits that on account of 'SLP' filed before Hon'ble Supreme Court and 'statement made by Advocate General about Notification of giving 100%, the entire recruitment is stayed by State of Maharashtra.</p> <p>3. S.O. to 18th July, 2024.</p> <p style="text-align: center;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.12/2024 with O.A.29/2024</u></p> <p>N.P. Patil & Ors. M.M. Bidkar & Ors. ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri A.A. Gharte, learned Advocate for Applicants and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. S.O. to 27th June, 2024.</p> <p style="text-align: center;"><i>Sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>Sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>M.A.644/2023 in O.A.460/2024</u></p> <p>K.B. Ghodke & Ors. ... Applicants Vs. The State of Mah. & Ors. ... Respondents</p> <p>1. Heard Shri A.V. Gaikar, learned Advocate for Applicants on VC and Ms. S.P. Manchekar, learned CPO for Respondents.</p> <p>2. S.O. to 2nd July, 2024 under the caption of 'Part Heard'.</p> <p style="text-align: center;"><i>sd/-</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/-</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

IN

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p style="text-align: center;"><u>O.A.36/2024</u></p> <p>R.S. Nagpure ... Applicant Vs. The State of Mah. & Ors. ... Respondents</p> <ol style="list-style-type: none">1. Shri R.K. Mendadkar, learned Advocate for Applicant Absent. Smt. K.S. Gaikwad, learned PO for Respondents.2. Affidavit-in-Reply is filed.3. S.O. to 11th July, 2024 for filing Rejoinder, if any. <p style="text-align: center;"><i>sd/</i> (Debashish Chakrabarty) Member-A 20.06.2024</p> <p style="text-align: center;"><i>sd/</i> (Mridula Bhatkar, J) Chairperson 20.06.2024</p> <p>(skw)</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><u>20.06.2024</u></p> <p><u>C.A 31/2024 in O.A 394/2022</u></p> <p>D.K Kokane ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel submits that the order of this Tribunal dated 21.10.2022 is not complied with.</p> <p>3. Learned P.O seeks time to take instructions.</p> <p>4. We direct the Collector, Pune to inform about the compliance of the order of this Tribunal dated 21.10.2022.</p> <p>5. S.O 25.6.2024</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

Date : 20.06.2024

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

O.A.No.1105/2022,with O.A.No.1106/2022
Tribunal's orders

A.V. Gadge

P.S. Khatpe

.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. has produced order dated 22.05.2024 issued by Deputy Director, Sports and Youth Service, Amravati Division, addressed to the Agriculture Department, Konkan Division giving reservation in Sports Category to Applicant in O.A.No.1105/2022, Mr. A.V. Gadge. It shows that for the period during which the candidate has played and also the period of recruitment ie before 01.08.2016, then the G.R. dated 30.05.2005 is applicable to that recruitment and Sports reservation. The case of the Applicant falls during the period prior to 01.08.2016 and therefore it is mentioned in the said letter that the order declaring Sports Certificate of the Applicant Mr. Gadge as invalid is stayed.

3. On perusal of this report a query was made by us that the concerned orders in dispute are not withdrawn or cancelled, but they are stayed and as per the said letter the order is stayed till further order is received from the office of Deputy Director, Joint Director Sport and Youth Service, Amravati. It is further mentioned in the said letter that the validation report given on 20.02.2018 issued in favour of the Applicant Mr. Gadge for, Group-C and D and form 30 to be treated as valid. Taken on record and marked as Exhibit - I.

4. Under such circumstances, we would like to know from the Respondents why decision is not taken by their head office.

5. Adjourned to 25.06.2024. Interim relief, if any, to continue.

SD/-

(Medha Gadgil)
Member (A)

SD/-

(Mridula Bhatkar, J.)
Chairperson

Date : 20.06.2024

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

O.A.No.312/2019 with O.A.No.355/2019 with
Tribunal's orders
O.A.No.1194/2019 with O.A.No.1195/2019

D.P. Koli
N.D. Apte & Ors.
S.D. Sapkale
S.D. Pagar .Applicants
Vs.

The State of Maharashtra & Ors. Respondents.

1. Heard Mr. D.R. Irale Patil, learned Counsel for the Applicants in O.A.Nos.355, 1194 & 1195/2019, Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents and Mr. V.P. Potbhare, learned Counsel for the Respondent.

2. Learned Counsel Mr. Patil has submitted that in O.A.No.312/2019 learned Counsel Mr. Arvind V. Bandiwadekar is appearing.

3. In O.A.Nos.355, 1194 & 1195/2019 all the Applicants are Junior Engineer and were Diploma Holders. O.A. is filed in the year 2019 when they these Applicants were Sectional Engineer and in that cadre all these applicants seek proper placement as they have secured decree during their service in the cadre of Assistant Engineer, Grade II. Applicants seek benefits of G.R. 29.11.1984.

4. At the outset learned Counsel has relied on the following judgments :

- (a) T. Valsan (Dead) through Legal Representatives & Ors. Vs. K. Kanagaraj and Others reported in (2023) 7 SCC 614.
- (b) O.A.No.695/2018 dated 08.03.2023, Mr. Ninad K. Chavan Vs. The State of Maharashtra & Ors.
- (c) M.A.T. Bench Aurangabad O.A.No.535/2019, dated 13.09.2022, Nitin D. Ingale Vs. The Secretary, P.W.D.
- (d) High Court of Judicature at Bombay Bench at Aurangabad, W.P.No.5232/2023, dated 28.06.2023, Smt. Minatai A. Khillare Vs. The State of Maharashtra & Ors.
- (e) M.A.T. Bench Aurangabad O.A.No.355/2019 dated 21.04.2023, Nangesh N. Unche & Ors. Vs. State of Maharashtra & Ors.
- (f) O.A.No.380/2015, dated 16.06.2016 & 05.07.2016, Sanjay R. Devgekar Vs. Chief Secretary Ors.

5. Adjourned to 03.07.2024, P.H.

Sd/-
(Medha Gadgil)
Member (A)

Sd/-
(Mridula Bhatkar, J.)
Chairperson

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

Date : 20.06.2024
Tribunal's orders

O.A.No.1601/2023

A.A. Paradkar & Ors. .Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Purva Pradhan holding for Mr. D.B. Khaire, learned Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Applicants pray for deemed date of promotion for the post of Sub Inspector as per judgment and order dated 04.07.2015 passed in O.A.No.431/2014 and also pray for promotion to the post of Inspector.

3. It appears that the order passed by this Tribunal in O.A.No.431/2014 is not implemented in its true spirit. We therefore direct the concern office of State Excise Department to depute officer to remain present in the Tribunal on the next date.

4. Adjourned to 27.06.2024

Sd/-

(Medha Gadgil)
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 20.06.2024

O.A.No.1619/2023

R.S. Takate
Vs.

.Applicants

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.S. Dere, learned Counsel for the Applicants and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.
2. We direct the Deputy Secretary, Medical Education and Drugs Department to remain present tomorrow i.e. 21.06.2024 at 10.00 a.m.
3. Adjourned to 21.06.2024.

Sd/-
(Medha Gadgil)
Member (A)

prk

Sd/-
(Mridula Bhatkar, J.)
Chairperson

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

Date : 20.06.2024

Tribunal's orders
O.A.No.956/2017

S.D. Jadhav & Ors. .Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Punam Mahajan, learned Counsel for the Applicants (through video conference) and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned Counsel has submitted that out of 10 applicants, Applicant No.1, Mr. Shrikant Jadhav and Applicant No.10, Mr. Dinesh Patil are not promoted.

3. Learned C.P.O. has submitted that except Applicants No.1 and 10 all other applicants are promoted. She has submitted that as this relief sought by the Applicants is for the promotion to the post of Warden, Class III, learned P.O. has submitted that grievance of eight Applicants is redressed. Learned Counsel has submitted that the issue of deemed date of promotion of the promotion of these eight applicants and issue of promotion of applicants No.1 and 10 remains. Ms. Tumbatkar, Senior Tribal Development Inspector is present for instructions. Learned P.O. on instructions has submitted that as per seniority, eight applicants were promoted. However, in the consideration zone as per seniority the names of Applicants No.1 and 10 did not appear and therefore they were not promoted. Learned P.O. has submitted that as on today the posts are not available. However, the Department will issue promotion order in respect of Applicants No.1 and 10 as and when the post of Warden, Class III is available. We direct the Department to find out why deemed date of promotion is not given to the Applicants. Learned P.O. has submitted that it appears from record that the juniors of the present applicants who were promoted were reverted and in their place these eight applicants were promoted and therefore they were not given the deemed date of promotion.

4. We direct the Department to give the date when the promotion orders issued of the persons who are junior to the present applicants were reverted and the date of promotion order of the present applicants.

5. Adjourned to 21.06.2024. P.H.

Sd/-

(Medha Gadgil)
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

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

(Advocate)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p>Date: 20.06.2024</p> <p>O.A. No.393 of 2024</p> <p>C.U. JagtapApplicant Versus The State of Maharashtra & Ors.Respondents.</p> <ol style="list-style-type: none"> 1. Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Learned Advocate for Applicant has filed 'Affidavit-in-Rejoinder' dated 30.04.2024. It is taken on record. 3. 'Interim Relief' to continue till 'Next Date'. 4. S.O. to 16.07.2024. <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
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Date: 20.06.2024

O.A. No.497 of 2024 with M.A. No. 270 of 2024

**M.R. NaladkarApplicant
Versus
The State of Maharashtra & Ors.Respondents.**

1. Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents No. 1 & 2 and Shri A.V. Bandiwadekar, learned Advocate for Respondent No.3.

2. Learned Advocate states that he will file 'Affidavit-in-Reply' during the course of the day on behalf of the Respondent No.3. Statement is accepted.

3. S.O. to 04.07.2024.

Sd/-
(Debashish Chakrabarty)
Member (A)

AGR

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

Tribunal's orders

Date: 20.06.2024

O.A. No.697 of 2024

A.S. ShaikhApplicant
Versus
The State of Maharashtra & Ors.Respondents.

1. Heard Shri A.S. Shaikh, Applicant-in-Person and Shri A.D. Gugale, 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 15.07.2024.
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 / 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.
8. S.O. to 15.07.2024.

Sd/-

(Debashish Chakrabarty)
Member (A)

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

Tribunal's orders

Date : 20.06.2024

O.A.No.1580/2023

A.S. Jadhav

.Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. K.S. Jagdale, learned Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. O.A.No.1580/2023 pertains to the Group of O.A.No.20/2024 to O.A.No.22/2024 along with O.A.No.35/2024. The issue involved in this matter of Summary Dismissal under Clause (2) of the proviso (b) of Article 311(2) of the Constitution.

3. In view of above, O.A.No.1580/2023 is closed for orders.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

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

Tribunal's orders

Date : 20.06.2024

O.A.No.1529/2023

Dr. S.M. Shete .Applicant
Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. S.B. Gaikwad, learned Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.
2. Learned C.P.O. has submitted that during the course of the day affidavit-in-reply will be filed. It be taken on record and copy be served upon the concern.
3. Adjourned to 04.07.2024, for rejoinder if any.

Sd/-

(Medha Gadgil)
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

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

Tribunal's orders

Date : 20.06.2024

O.A.No.1205/2023

S.A. Jawale

Applicant

Vs.

The State of Maharashtra & Ors.Respondents.

1. Heard Mr. U.V. Bhosle, learned Counsel for the Applicants and Ms. Archana B.K., learned Presenting Officer for the Respondents.

2. Learned P.O. has submitted that during the course of the day affidavit-in-reply will be filed. It be taken on record and copy be served upon the concern.

3. Adjourned to 18.07.2024, for rejoinder if any.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

Date : 20.06.2024

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

O.A.No.1105/2022 with O.A.No.1106/2022
Tribunal's orders

A.V. Gadge

P.S. Khatpe

.Applicants

Vs.

The State of Maharashtra & Ors.Respondents.

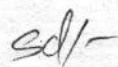
1. Heard Mr. S.S. Dere, learned Counsel for the Applicants and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned C.P.O. has produced order dated 22.05.2024 issued by Deputy Director, Sports and Youth Service, Amravati Division, addressed to the Agriculture Department, Konkan Division giving reservation in Sports Category to Applicant in O.A.No.1105/2022, Mr. A.V. Gadge. It shows that for the period during which the candidate has played and also the period of recruitment ie before 01.08.2016, then the G.R. dated 30.05.2005 is applicable to that recruitment and Sports reservation. The case of the Applicant falls during the period prior to 01.08.2016 and therefore it is mentioned in the said letter that the order declaring Sports Certificate of the Applicant Mr. Gadge as invalid is stayed.

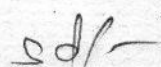
3. On perusal of this report a query was made by us that the concerned orders in dispute are not withdrawn or cancelled, but they are stayed and as per the said letter the order is stayed till further order is received from the office of Deputy Director, Joint Director Sport and Youth Service, Amravati. It is further mentioned in the said letter that the validation report given on 20.02.2018 issued in favour of the Applicant Mr. Gadge for, Group-C and D and form 30 to be treated as valid. Taken on record and marked as Exhibit - I.

4. Under such circumstances, we would like to know from the Respondents why decision is not taken by their head office.

5. Adjourned to 25.06.2024.



(Medha Gadgil)
Member (A)



(Mridula Bhatkar, J.)
Chairperson

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

Date : 20.06.2024

Tribunal's orders
O.A.No.956/2017

S.D. Jadhav & Ors. Applicants
Vs.
The State of Maharashtra & Ors.Respondents.

1. Heard Ms. Punam Mahajan, learned Counsel for the Applicants (through video conference) and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.

2. Learned Counsel has submitted that out of 10 applicants, Applicant No.1, Mr. Shrikant Jadhav and Applicant No.10, Mr. Dinesh Patil are not promoted.

3. Learned C.P.O. has submitted that except Applicants No.1 and 10 all other applicants are promoted. She has submitted that as this relief sought by the Applicants is for the promotion to the post of Warden, Class III, learned P.O. has submitted that grievance of eight Applicants is redressed. Learned Counsel has submitted that the issue of D.E. of the promotion of these eight applicants and issue of promotion of applicants No.1 and 10 remains. Ms. Tumbatkar, Senior Tribal Development Inspector is present for instructions. Learned P.O. on instructions has submitted that as per seniority, eight applicants were promoted. However, in the consideration zone as per seniority the names of Applicants No.1 and 10 did not appear and therefore they were not promoted. Learned P.O. has submitted that as on today the posts are not available. However, the Department will issue promotion order in respect of Applicants No.1 and 10 as and when the post of Warden, Class III is available. We direct the Department to find out why deemed date of promotion is not given to the Applicants. Learned P.O. has submitted that it appears from record that the juniors of the present applicants who were promoted were reverted and in their place these eight applicants were promoted and therefore they were not given the deemed date of promotion.

4. We direct the Department to give the date when the promotion orders issued of the persons who are junior to the present applicants were reverted and the date of promotion order of the present applicants.

5. Adjourned to 21.06.2024. P.H.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

prk

Date : 20.06.2024

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

O.A.No.245/2017
Tribunal's orders

R.R. Rathod

.Applicant

Vs.

The State of Maharashtra & Ors. Respondents.

1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant and Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents.

2. Applicant challenges the order of the termination dated 31.05.2008 issued by the Respondent No.2 and also Appellate order dated 27.08.2009 issued by Respondent No.3. He has further prayed that the Respondent by directed to grant leave and duty pay from 01.06.2008 with interest of 12%. Applicant was appointed on 04.02.2000 in the office of Settlement Commissioner and Director of Land Record, Nashik as Surveyor. Thereafter Applicant was transferred and posted as Special Taluka Inspector, Land Records at Surgana on 14.02.2005. On 28.02.2005 Applicant submitted joining report along with leave application during the period from 22.02.2005 to 25.02.2005. Memo was issued to him for absenteeism. He has submitted application requesting that he may be given office work. However, he was suffering from phototoxie so it was not possible for him to work in sunlight and so he is to be given desk work.

3. Learned Counsel has submitted that first D.E. was initiated on 07.03.2005 (Exhibit-H, page 56) for two charges. First charge for absentee during the period from 23.05.2002 to 02.09.2003 i.e. one year, three months and 10 days without sanctioned leave. Second charge in the said D.E. i.e. though there was no actual survey carried out between 01.03.2000 to 22.05.2002 false entries were shown and it was submitted late.

4. Learned Counsel Mr. Bandiwadekar states that second D.E. was initiated on 13.09.2007. Enquiry Officer was appointed on 28.02.2009. He has submitted the report on 12.02.2008 (Exhibit-M, page 76). The Enquiry Officer held that both the charges are proved. Learned Counsel seeks time to file additional documents and amend the O.A..

5. Permission granted. Amendment be carried out forthwith and amended copy be served upon the concern.

6. We direct learned P.O. to call the concerned Officer from the Department on the next date.

7. Adjourned to 24.06.2024 at 10.30 a.m.

Sd/-

Sd/-

(Medha Gadgil)
Member (A)

(Mridula Bhatkar, J.)
Chairperson

**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 : 20.06.2024</p> <p>O.A.No.650/2023</p> <p>R.R. Gire .Applicant Vs. The State of Maharashtra & Ors.Respondents.</p> <p>1. Heard Mr. Bhushan A. Bandiwadekar, learned Counsel for the Applicant, Ms. K.S. Gaikwad, learned Presenting Officer for the Respondents and learned Counsel Mr. M.D. Lonkar appearing for Mr. L.R. Kudiya.</p> <p>2. Pursuant to orders dated 20.03.2024 and 24.04.2024 learned P.O. has submitted that the High Power Committee was constituted and have taken decision dated 18.06.2024. Learned P.O. has produced the copy of detailed order dated 18.06.2024 along with the report and the decision taken in the meeting on 18.06.2024 by the High Power Committee meeting.</p> <p>3. We have gone through the report. It is the detail report based on the ratio laid down in the case of Avtar Singh Versus Union of India reported in (2016) 6 SCC 471 and it is held that Mr. L.R. Kudiya is found eligible for his appointment. The copy of report is taken on record and marked as Exhibit-I. It is pointed out by learned Counsel Mr. Lonkar that on 20.03.2024 the applicant sought permission to add Mr. Kudiya as Respondent No.2, however, the same was not complied with. Learned Counsel Mr. Lonkar has submitted that he has instructions from Mr. Kudiya to appear and therefore he is present. However, name of Mr. Kudiya is not added in the array of Respondent, hence he is unable to file his vakalatnama.</p>

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

Tribunal's orders

4. ~~Learned Counsel Mr. Bandiwadekar~~ has submitted that he did not add Mr. Kudiya as Party Respondent because he was waiting for the decision of High Power Committee as directed by this Tribunal.

5. We make it clear these two issues are different. If at all the permission was sought to add Mr. Kudiya as Party Respondent No.2 it should have been done within a reasonable time i.e. next date of the order passed or till today. But any how it is not done. Now, learned Counsel Mr. Bandiwadekar has submitted that he will amend this O.A. as he wants to challenge the decision of High Power Committee dated 18.06.2024 and accordingly he also wants to add Mr. Kudiya as Party Respondent no.2.

6. Applicant may make the application for amendment in the relief or in the body of the O.A. In view of the subsequent decision of High Power Committee dated 18.06.2024. However, if he is willing to added, then an amount of Rs.5000/- is to be given by the Applicant to the Respondent No.2, Mr. Kudiya. Respondent to note that pendency of this O.A. is not a hurdle for them to appointment Mr. Kudiya, however, the said appointment order of Mr. Kudiya shall be subject to the outcome of this O.A.

7. Adjourned to 11.07.2024

Sd/-

(Medha Gadgil)
Member (A)

prk

Sd/-

(Mridula Bhatkar, J.)
Chairperson

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

I N

Original Application No. _____ of 20 _____

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>20.06.2024</u></p> <p align="center"><u>O.A 1179/2023</u></p> <p>A.P Devkate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms A.S Ranade, learned advocate for the applicant and Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. The applicant prays for his placement in the seniority list dated 6.9.2014 and 31.12.1996 and also prays that the order dated 10.5.2023 passed by the Respondents declining to recognize the seniority of the applicant based on his date of joining, namely, 27.11.1996 in the cadre of Assistant Engineer, Grade-II.</p> <p>3. Learned counsel submits that the relief was prayed on the basis of the order dated 11.8.2022 passed in O.A 32/2015 by the Nagpur Bench of this Tribunal, by applying the doctrine of parity. Learned counsel has further submitted that the applicant stood retired on 31.5.2024.</p> <p>4. It is to be noted that the applicant had grievance since 1996 and 2014 in respect of placement of his seniority and he filed the present Original Application on 11.9.2023 and now on 31.5.2024 he stood retired.</p> <p>5. In view of the subsequent development that he has already retired, the Original Application has become infructuous.</p> <p>6. Original Application is accordingly disposed of.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>20.06.2024</u></p> <p align="center"><u>R.A 13/2023 in O.A 512/2022</u></p> <p>H.B Yelde ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Anuradha Khot i/b S.B Thorat, 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 18.7.2024.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</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><u>20.06.2024</u></p> <p><u>R.A 11/2023 in O.A 1027/2019</u></p> <p>L.D Surnar Vs. ... Applicant The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri R. Hake Patil, 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 4.7.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

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FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>20.06.2024</u></p> <p><u>C.A 55/2024 in O.A 758/2019 with O.A 404/2022</u></p> <p>R.B Bhosale & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri M.B Kadam, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel submits that the order of this Tribunal dated 12.12.2022 is not complied with.</p> <p>3. Issue notice to the Respondents-Contemnors as to why action under the Contempt of Courts Act, 1971 should not be initiated. The Respondents are granted last chance to comply with the order of this Tribunal.</p> <p>4. S.O to 27.6.2024.</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 _____

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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p align="center"><u>20.06.2024</u></p> <p align="center"><u>C.A 50/2024 in O.A 162/2024</u></p> <p>M.S Radye ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri V.G Panchal i/b Shri R.G Panchal, 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 name of the applicant was in the select list of 106 candidates. However, one of the subject matters is to the challenge to that select list was given in W.P 13227/2018. The said Writ Petition was disposed of by the Hon'ble High Court by order dated 20.3.2024. The matter was carried to the Hon'ble Supreme Court and by order dated 29.4.2024 stay is granted to the order of the Hon'ble High Curt. Therefore, the Respondents are fixed with regard to the compliance of the order of this Tribunal.</p> <p>3. Learned C.P.O therefore seeks time.</p> <p>4. S.O to 18.7.2024.</p> <p align="center">Sd/- (Medha Gadgil) Member (A)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>20.06.2024</u></p> <p><u>C.A 43/2024 in O.A 1480/2023</u></p> <p>S.R Chate ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O files affidavit in reply dated 19.6.2024 through Shri Salunkhe, Secretary, P.W.D. Same is taken record.</p> <p>3. The Respondents are granted two weeks' time to comply with the order of this Tribunal as the Respondents are in contempt for not complying with the order of this Tribunal dated 7,12,2023,</p> <p>4. S.O to 4.7.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>20.06.2024</u></p> <p><u>C.A 41/2024 in O.A 428/2021</u></p> <p>S.A Kamble ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned counsel submits that the order of this Tribunal dated 6.10.2023 has not been complied with.</p> <p>3. Learned P.O seeks time to file reply.</p> <p>4. S.O to 21.6.2024.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</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><u>20.06.2024</u></p> <p><u>C.A 36/2024 in O.A 323/2021</u></p> <p>D.G Vasagadekar ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Smt K.S Gaikwad holding for Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned P.O seeks time.</p> <p>3. S.O to 4.7.2024.</p> <p>Sd/- (Medha Gadgil) Member (A) Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	<p><u>20.06.2024</u></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 Ms Swati Manchekar, learned C.P.O for the Respondents.</p> <p>2. Learned counsel submits that pursuant to the order of this Tribunal dated 25.10.2023, the applicant's name is recommended by MPSC, Respondent No. 1. However, Respondent No. 2 has not yet given appointment to the applicant.</p> <p>3. Learned C.P.O submits that the file is pending with the Hon'ble Minister, Mr Mangal Prabhat Lodha from March, 2024.</p> <p>4. We direct the Principal Secretary to pursue the matter and take note that it is contempt proceeding.</p> <p>5. S.O to 4.7.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p> <p>Akn</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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	<p><u>20.06.2024</u></p> <p><u>C.A 104/2023 in O.A 59/2017</u></p> <p>Y.A Desai ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Shri B.A Bandiwadekar, learned advocate for the applicant and Shri A.J Chougule, learned P.O for the Respondents.</p> <p>2. Learned counsel for the applicant seeks time.</p> <p>3. S.O to 11.7.2024.</p> <p>Sd/- (Medha Gadgil) Member (A)</p> <p>Akn</p> <p>Sd/- (Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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	<p><u>20.06.2024</u></p> <p><u>C.A 17/2023 in O.A 50/2019</u></p> <p>V.T Jadhav ... Applicant Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Shri V.T Jadhav, applicant present in person. Heard Smt K.S Gaikwad, learned P.O for the Respondents.</p> <p>2. Learned P.O submits that the Government has issued G.R 19th June, 2024 regularizing the services of the applicant. The same is taken on record and marked as Exh. I.</p> <p>3. As the order of this Tribunal is complied with, C.A stands disposed of.</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 style="text-align: center;"><u>O.A. No.736 of 2024</u></p> <p>C.R. Pardeshi ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri O.M. Lonkar, 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 18.7.2024. 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 Gaekgil) Member (A) 20.6.2024</p> <p>(sgj)</p>

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

Tribunal's orders

O.A. No.728 of 2024

S.N. Thakur ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

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

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

3. Issue notice before admission returnable on 18.7.2024. The respondents are directed to file reply.

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

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

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

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

Sd/-
(Medha Gadgil)
Member (A)
20.6.2024

(sgj)

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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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>20.06.2024</p> <p><u>M.A 297/2024 in O.A 1338/2023 with M.A 298/2024 in O.A 328/2023 with M.A 299/2024 in O.A 1289/2023 (Nagpur)</u></p> <p>S.T Pawar & Ors S.V Kakade & Ors G.U Bangare & Ors ... Applicants Vs. The State of Maharashtra & Ors ... Respondents</p> <p>1. Heard Ms Madhvi Ayyappan i/b Talekar & Associates, learned advocate for the applicants and Smt K.S Gaikwad, Shri A.D Gugale and Shri D.R Patil, learned P.O for the Respondents in respective Misc Applications.</p> <p>2. The present Misc Applications are filed under Section 25 of the Administrative Tribunals Act, 1985 for transferring the same from Nagpur Bench to the Principal Bench at Mumbai.</p> <p>3. Learned counsel submitted that all the above three Original Applications No 1338, 328 and 1289/2023 are filed at Nagpur Bench. There is no private Respondents but Government is only the Respondent in all the three Original Applications. Learned counsel has further submitted that there are four other Original Applications No 421 and 1391/2023 and 185 & 542/2024 filed in Mumbai and one O.A 805/2023 filed at Aurangabad Bench.</p> <p>4. Learned counsel submits that the issue involved in all these Original Applications are one and the same and therefore all the Original Applications are to be transferred and heard at the Principal Bench at Mumbai and in the alternative, she prays that all the Original Applications can be transferred and heard at Nagpur & Aurangabad Bench.</p> <p>5. Learned P.O submits that the copy of the Misc Applications are received on 18.6.2024 and they want time to file reply to the Misc Applications as they are opposing the transfer of the O.As from Nagpur to Mumbai.</p> <p>6. S.O to 27.6.2024.</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: right;">(Mridula Bhatkar, J.) Chairperson</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
MUMBAI**

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

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	<p align="center"><u>O.A. No.368 of 2017</u></p> <p>R.H. Aangre ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, Ld. Advocate for the Applicant and Ms. S.P. Manchekar, learned Chief Presenting Officer for the Respondents.</p> <p>2. The applicant is directed to get the copy of judgment from the District Court at the earliest as the OA is filed in 2017 otherwise the matter will proceed without considering the judgment of the District Court.</p> <p>3. S.O. to 4.7.2024.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 20.6.2024</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 20.6.2024</p> <p>(sgj)</p>

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
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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.1239 of 2023</u></p> <p>B.D. Khobragade & Ors. ..Applicants Vs. The State of Maharashtra & Ors. ..Respondents</p> <p>Heard Shri B.A. Bandiwadekar, Ld. Advocate for the applicant and Smt. K.S. Gaikwad, learned Presenting Officer for the Respondents.</p> <p>2. As per para 4 of the order dated 1.3.2024 the Govt. has prepared provisional select list for promotion from the post of Primary Teacher to Secondary Teacher and objections have been called.</p> <p>3. Smt. Jyoti Chandrashekhar Punwatkar, Senior Tribal Development Inspector O/o Additional Commissioner, Tribal Development, Thane is present in the Court.</p> <p>4. Ld. PO on instructions submits that provisional select list is dated 29.2.2024 and till 12.3.2024 the objections and representations were received. She states that final select list is ready but it is not published. Ld. PO on instructions further submits that Additional Tribal Commissioner, Thane will issue promotion orders from Primary Teacher to Secondary Teacher on 30.7.2024.</p> <p>5. We direct the Principal Secretary, Tribal Development Department and the Additional Commissioner, Tribal Development Department, Thane to inform us under which clause/provision of Model Code of Conduct the regular promotions of Government servants is not to be made.</p> <p>6. S.O. to 27.6.2024.</p> <p align="center">Sd/- (Medha Gadgil) Member (A) 20.6.2024 (sgj)</p> <p align="center">Sd/- (Mridula Bhatkar, J.) Chairperson 20.6.2024</p>